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INTERCREDAL CO-OPERATION: ITS LIMITATIONS

In two articles in *Theological Studies* last year Fathers Parsons and Murray called attention to repeated papal appeals to Catholics to co-operate with non-Catholics for the reform of society.[1] Certainly all of us must be grateful to these two genial and scholarly Jesuits for their abundant citation of papal texts and for their insistence that these texts must be taken to heart by all Catholics. To the present writer, however, it seems that they perhaps failed to stress sufficiently the cautions and limitations which the Holy See has imposed in connection with such co-operation. These articles have recently been republished as a pamphlet in somewhat revised form.[2] The appearance of this pamphlet makes further discussion timely.

In order that American Catholics may see intercredal co-operation in the proper perspective, it is important to emphasize the fact that it is far from being a new development in the United States. From the very first, Catholics in this country have resisted the separatist tendency which appeared, for example, among certain French Catholics under the Third Republic. Members of the Church in America have always been ready to work along with non-Catholics to solve the common problems of the country. The federal government had scarcely been organized when George Washington wrote in recognition of this fact, "I presume that your fellow-citizens will not forget the patriotic part which you took in the accomplishment of our Revolution and the establishment of our government,—or the important assistance which they received from a Nation in which the Roman Catholic faith is professed."[3]

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[1] Wilfrid Parsons, "Intercredal Co-operation in the Papal Documents," *Theol. Studies*, 4: 159–82 (June, 1943). (Hereafter cited as, Parsons, "Documents.") John Courtney Murray, "Intercredal Co-operation: Its Theory and Its Organization," *ibid.*, pp. 257–86. (Hereafter cited as, Murray, "Theory.") See also the comments on these articles by the present writer which appeared in the form of a letter to the editor, *Theol. Studies*, 4: 467–72 (September, 1943), and Father Murray's rejoinder, *ibid.*, pp. 472–74.

[2] Wilfrid Parsons and John Courtney Murray, *Intercredal Cooperation* (Washington: Catholic Association for International Peace, 1943). This pamphlet contains the above article by Father Parsons in slightly abridged form and a paper by Fr. Murray entitled "Intercredal Cooperation: Principles." This is a revision of his article cited above. It will be hereafter cited as, Murray, "Principles."

[3] *To the Roman Catholics in the United States of America*, March 17, 1790.

No responsible Catholic has ever seriously questioned the right and duty of his coreligionists to vote and hold office in America. The result has been that the social legislation on our statute books has been passed through the common effort of Catholic and non-Catholic voters and legislators working harmoniously together. In the agitation which normally precedes the passage of an important law, Catholic organizations have worked with episcopal approval side by side with non-Catholic organizations for or against the proposed legislation according to whether it seemed wise or unwise. Nor have Catholics confined their efforts in behalf of social reform to activity within their own societies and associations. They have freely participated as members and officers in nonsectarian organizations devoted to worthy social causes.[4]

In the care of the underprivileged we have wisely insisted on having our own Catholic social agencies; Protestants and Jews, for that matter, have done the same thing. But Catholics also work freely on the staffs of nonsectarian agencies and our Catholic agencies themselves co-operate with other agencies in community chests, often being financed by a common budget raised by a common appeal and working in accordance with a common set of policies. Although the Holy See regards it as the normal thing that Catholic workingmen should be organized in separate Catholic labor unions, bishops are permitted to allow them to join neutral unions. This permission is freely granted by the hierarchy of the United States. Our co-operation has been so "all-out" that Catholic workingmen are merged almost indistinguishably in the general labor movement.

It is not my intention to examine here in detail the existing state of intercredal co-operation between Catholics and non-Catholics in the United States nor to decide at what points we have gone beyond, or fallen short of, the directives of the Holy See. Probably mistakes have been made in both directions. In some instances probably our assistance to worthy causes has been too little and too late. In other instances possibly we have concentrated so exclusively on co-operation with others that we have failed to develop our own distinctively

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[4] Of course Catholics have usually been obedient to the directive of the Holy See in abstaining from Communist front organizations. "Communism is intrinsically wrong, and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever." Pope Pius XI, Encyclical, *Divini Redemptoris*, March 19, 1937.

Catholic organizations.[5] Again, being human, we have probably failed to give enough generous, wholehearted enthusiasm to social reform whether sponsored by distinctively Catholic organizations or sought in co-operation with non-Catholics. My point is that, whatever defects our practice may show, American Catholics are not prone to question the principle that we ought to co-operate with others toward social goals.

I confess, therefore, that I am unable to identify the group among my coreligionists whose sentiment, according to Father Murray, is one of entire disinterest in the efforts of non-Catholics: "Let us leave them to whatever devices they can contrive, and go our own way."[6] I have never heard Catholics talk like that. There are, of course, some who by vocation or interest are devoted to exclusively Catholic work. That is merely a laudable division of labor. There are others who question the prudence of this or that particular instance of co-operation. If the objection is expressed charitably it represents merely a legitimate difference of opinion on a practical matter. *In dubiis, libertas.* But I have never heard a blanket objection against all co-operation with non-Catholics in the pursuit of social goals. On the general principle of co-operation we seem to be as much united as we can well be on any point.

If the pamphlet, *Intercredal Cooperation*, were devoted simply to underscoring the general principle of co-operation as expounded in the papal documents, there would be no reason to criticize it. But the authors—and specifically Father Murray who treats this part of the subject—believe that they can see in the papal statements a command to establish a certain very particular type of intercredal co-operation. Here I am forced to differ.

It is first of all logically necessary to inquire into the precise nature of this new form of co-operation toward which Father Murray believes the Holy See is urging us. Father Murray calls it "Religio-Civic Action." He confesses that it is "a bit difficult to understand"[7] and

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[5] For example, we have not given enough attention to the order of Pope Pius XI that, when Catholics are permitted to join neutral labor unions, "side by side with these unions there must always be associations which sedulously strive to train and form their members in religion and morals that these in turn may impart to their labor unions that upright spirit by which their entire conduct should be directed." Encyclical, *Quadragesimo anno*, May 15, 1931.

[6] Murray, "Principles," p. 34.

[7] Murray, "Theory," p. 261.

I am ready to agree with him. However, if I interpret Father Murray correctly, his "Religio-Civic Action" has at least three definite characteristics: (1) It involves an organization in which both Catholics and non-Catholics participate. It is "an organizational unity that will be both spiritual and interconfessional."[8] It is "a religio-social unity."[9] Therefore "Religio-Civic Action" does not refer to the co-operation of separate Catholic and non-Catholic organizations as it now exists in the United States nor to the co-operation of Catholics and non-Catholics in such general bodies as, say, the American Federation of Labor; for such groups are not "both spiritual and interconfessional" but purely civic or secular. (2) The basis of "Religio-Civic Action" is to be a common set of principles, partly religious and partly purely ethical, "a common ground on which interconfessional co-operation may be based,"[10] an "interconfessional agreement on certain necessary religious and moral bases of a just social order."[11] (3) Although "Religio-Civic Action" is partly religious in its ground, it is by the nature of the case withdrawn from the direct authority of the hierarchy. In this it differs from Catholic Action, though it is somewhat parallel to the latter. "It is a sort of Catholic action twice removed—removed, first, from roots in the organic unity of the visible Church, and removed, secondly, from organic relation to her pastoral authority."[12]

It is now in order to examine the various papal texts cited by Father Parsons and Father Murray to see if they give any ground for believing that the Holy See desires the establishment of this specific sort of "Religio-Civic Action." The last sentence deserves emphasis. It will not be enough to find in the Roman documents general appeals for co-operation between Catholics and non-Catholics; everyone agrees on the desirability of such co-operation and its value is not a point at issue. The only point at issue in this article is whether the Holy See has asked in addition for another type of co-operation, a "Religio-Civic Action" which is to be (1) an organizational unity, (2) based on a set of common ethical *and religious* principles, and (3) removed from organic relation to the pastoral authority of the Church. Any text which does not throw light on this specific issue must be regarded as irrelevant in the present discussion.

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[8] *Ibid.*, p. 260.

[9] *Ibid.*, p. 274. See also Father Murray's letter to the editor in *Theol. Studies*, 4: 472–74 (September, 1943), p. 472.

[10] Murray, "Theory," p. 272.

[11] Murray, *loc. cit.*

[12] Murray, "Theory," p. 261.

Holding consistently to this point of view, let us now examine the series of texts cited by Father Parsons and Father Murray. In the first place it does not seem unfair to eliminate a certain number of these texts on the ground that they are mere expressions of good will and have no direct bearing on the question of intercredal co-operation. For example there is this quotation from Pope Pius XII's radio address, *Dum gravissimum:*

> Moreover, our thoughts go out also to those who are outside the enclosures of the Catholic Church. They will be glad, We trust, to know that in this solemn hour Our prayers have begged for them divine assistance from Almighty God.[13]

Then there is the passage in the *Summi pontificatus* in which the Holy Father expresses his gratitude at the good wishes sent to him by

> those who, though not belonging to the visible body of the Catholic Church, have given noble and sincere expression to their appreciation of all that unites them to Us in love for the Person of Christ or in belief in God.[14]

These texts and a number of others like them cited by Father Parsons give an edifying proof of the Holy Father's broad charity, but I do not see how they can be used as arguments in favor of intercredal co-operation.

At least two other quotations must be eliminated on the ground that they are mistranslations. One of these is a text from the closing paragraphs of the *Rerum novarum* which Father Parsons gives in the following form:

> So far as the Church is concerned, her co-operation will never be found wanting, be the time or the occasion what it may. She will intervene with all the greater effect in proportion as her liberty of action is the more unfettered. Let this in particular be carefully noted by those whose office it is to provide for the public welfare.

Turning to the English translation cited by Father Parsons,[15] we find that the opening words of the quotation read, "So far as the Church

[13] Cited in Parsons, "Documents," p. 169.

[14] Cited *ibid.*, p. 170.

[15] His full footnote reads, "*ASS*, XXIII (1891), 670; cf. Husslein, *Social Wellsprings*, Fourteen Epochal Documents by Pope Leo XIII (Milwaukee: Bruce, 1940), p. 204." (Parsons, "Documents," p. 161.)

is concerned, her *assistance* will never be wanting" (italics mine). The Latin text is as follows, *Ad Ecclesiam quod spectat, desiderari operam suam nullo tempore nulloque modo sinet*, that is, "So far as the Church is concerned, never in any way will she allow her efforts to be found wanting." The Holy Father is saying that the Church will ceaselessly work for social reconstruction and that her efforts will be more effective, the more freedom of action she enjoys. An accurate translation shows that nothing whatever is said about *co-operation!*

Then there is the following remark about Pope Pius XI and his *Quadragesimo anno*, "He said himself that his call was to 'all men of good will' who would be willing to join with the pastors of the Church."[16] But the original text reads, *Uniantur igitur omnes bonae voluntatis viri, quotquot sub Ecclesiae Pastoribus hoc bonum ac pacificum Christi certamen certare volunt.* The invitation, therefore, is not to *join with* the pastors of the Church, but *to work under* them. This makes a world of difference. Moreover the passage goes on to say that the work is to be carried on *Ecclesia duce ac magistra*, that is, under the Church's leadership and teaching authority. If anyone cares to call this passage an invitation to intercredal co-operation, he is welcome to do so, but certainly the type of co-operation in question is as different as possible from that described by Father Murray.

It also seems fair to eliminate from consideration the texts quoted from Pope Leo XIII's encyclical, *Au milieu des sollicitudes*, since the point at issue was the purely political collaboration of French Catholics with their government. A good many Catholics had felt that, since the government of France had shown itself so anticlerical, their wisest course was to abstain entirely from co-operation with it. This was not an absurd position; it was indeed precisely the policy which Pope Leo himself had imposed on Italian Catholics. Nevertheless, the Pope felt that it was not the best course for the Catholics of France and in the encyclical mentioned, dated February 16, 1892, he invited them to use their right of suffrage to defend the Church in France. Of course no American Catholic doubts the expediency of voting and holding office in this country. A century before *Au milieu des sollicitudes* was written Catholics were following this policy in the United States and its wisdom has never been questioned. American Catholics have nothing new to learn from this encyclical and it has no particular bearing on the type of intercredal co-operation which Father Murray contemplates.

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[16] Parsons, "Documents," p. 166.

After these various classes of texts have been eliminated as irrelevant, there remain a number which definitely do speak of the collaboration of Catholics and non-Catholics for the attainment of social goals. The great service which Father Parsons and Father Murray have performed is the collection of these texts for our benefit in convenient form. No one who reads these texts will deny that the Holy See favors the co-operation of men of different creeds to bring about social reform. That, however, is not the point at issue. The point at issue, I must repeat, is whether recent Popes have favored the particular type of intercredal co-operation which Father Murray advocates, namely, a co-operation involving (1) an organizational unity (2) based on common ethical and religious principles, (3) with no organic relation to the Church's pastoral authority.

In examining this question it will be convenient to postpone for the moment the texts taken from the encyclical, *Singulari quadam*, of Pope Pius X and to examine first the balance of the evidence. Space is lacking to quote all these texts here and it is unnecessary to do so in any case since they are easily accessible to the reader in the pamphlet, *Intercredal Cooperation*; but it may be helpful to illustrate their general character by quoting one which is perhaps the most significant of all since it is recent, strongly worded, and addressed specifically to the Catholics of the United States. In his encyclical, *Sertum laetitiae*, dated November 1, 1939 and addressed to the Church in this country, Pope Pius XII wrote:

> What a proud vaunt it will be for the American people, by nature inclined to grandiose undertakings and to liberality, if they untie the knotty and difficult social question by following the sure paths illuminated by the light of the Gospel and thus lay the basis of a happier age! If this is to come to pass power must not be dissipated through disunion but rather strengthened through harmony. To this salutary union of thought and policy, whence flow mighty deeds, in all charity We invite them, too, whom Mother Church laments as separated brethren.[17]

This text illustrates a number of features which run through the whole series now under discussion. First of all, it is noticeable that nothing in the quotation implies the specific sort of intercredal co-operation which Father Murray calls, "Religio-Civic Action." Everything in it can be very well understood as referring to the existing sort of co-operation which was discussed in the opening paragraphs of the present article. If, for example, the official representatives of some national Catholic organization and the parallel officials of some Protestant organization, after previous consultation, decide to appear before a Congressional committee to favor or oppose some pending bill, do they not show a "salutary union of thought and policy"? Is not the same united thought and policy shown by Catholic labor leaders and and their allies in Catholic organizations in their collaboration with non-Catholics holding parallel positions?

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[17] Cited *ibid.*, p. 171.

It might be objected that the Pope speaks of a salutary *union* and that this word might be understood of *organizational* unity. This is a point which calls for further examination. It is important to note that in the above text and in other parallel texts the Holy See does not call upon us Catholics to co-operate with non-Catholics, but rather invites non-Catholics to co-operate with us. The point is thrown into stronger relief by the passage from the *Quadragesimo anno* quoted a few paragraphs above. In that passage the Pope called for a union of *all* men of good will (*Uniantur igitur omnes bonae voluntatis viri*) but the union was to be *under* the Catholic hierarchy (*sub Ecclesiae Pastoribus*) for a work to be carried out under the leadership and teaching authority of the Church (*Ecclesia duce ac magistra*). It is quite clear that in such passages the Pope does not have in mind the type of intercredal co-operation which Father Murray describes as being "removed . . . from organic relation to [the Church's] pastoral authority."[18]

The attitude of the Holy See toward intercredal co-operation for social ends is made very clear in Pope Pius X's encyclical, *Singulari quadam*, dated September 24, 1912. The occasion which called forth this pronouncement was a dispute among the Catholics of Germany on the legitimacy and expediency of the "Christian Trade Unions.;"[19] These unions were neither Catholic nor neutral, but interconfessional; therefore the principles on which their action was based were neither distinctively Catholic nor purely ethical, but Christian in a broad, intercredal sense. Their activities might well be viewed as an example of the "Religio-Civic Action" of which Father Murray speaks and he seems to consider them as such. The importance of the *Singulari quadam* in the present discussion is therefore evident.

The papal decision in regard to the Christian Trade Unions of Germany was that they could be "tolerated and permitted" (*tolerari posse et permitti*). On reading these words out of their context one might be tempted to conclude that Pope Pius had approved this sort of intercredal co-operation, albeit somewhat grudgingly (*tolerari*). A careful study of the whole document, however, shows that the principle of intercredal co-operation is subject to many limitations in the mind of the Holy See. First of all, it was clearly stated that the permission and toleration were granted "in view of the peculiar situation of the Church in Germany" (*respicientes peculiarem rei catholicae rationem in Germania*). These words obviously imply a warning against generalizing the permission and toleration for application in other countries.

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[18] Murray, "Theory," p. 261.

[19] See the excellent brief historical account of the controversy in Murray, "Theory," pp. 263–69, and the references given there.

The Christian Trade Unions were of course not wrong intrinsically; otherwise the Holy See could not have permitted them to exist under any circumstances. Yet they were certainly regarded by Pope Pius as a dangerous venture. The *Singulari quadam* is very explicit about this. The Pope saw in intercredal co-operation a danger to the Catholic faith of the workers. "For unless they are promptly aroused and put on their guard, there is obviously a danger that gradually and almost without realizing it they may accept a certain vague and undefined type of Christianity which is usually called *interconfessional*."[20] To counteract this danger, the German bishops were ordered to watch the movement carefully and see that the Catholic members of the mixed unions were organized at the same time into Catholic *Arbeitervereine* to preserve their faith.

Pope Pius made his attitude toward the Christian Trade Unions very clear. They were a dangerous experiment and constituted a hazard to their members' faith. But of course, as everyone can realize, they were not evil in themselves. Under such circumstances the Church can be flexible and permit one evil, to avoid a greater one. To have forbidden Catholic membership in these unions would have suddenly demoralized the whole labor movement in the Rhineland. So on this one occasion the Church permitted intercredal co-operation of this particular sort. So also the Church permits mixed marriages, however reluctantly, and the attendance of Catholic children at public schools. But to argue that the Holy See encourages this sort of intercredal co-operation is as rash as to argue that mixed marriages are encouraged by the Church.

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[20] The Latin of this important text is worth quoting: "Nisi enim mature excitentur ad vigilandum, patet periculum in eis esse, ne paullatim et quasi imprudenter in vago quodam nec definito genere christianae religionis acquiescant, quae *interconfessionalis* dici solet."

In his original article in *Theological Studies*, Father Murray placed a great deal of stress on the *Singulari quadam*, apparently feeling that it somehow proved his point. It is interesting to note that his article in *Intercredal Cooperation* passes the document over with the briefest mention. It is strange, however, that in neither article does he bring up Pope Pius X's letter, *Notre charge*, dated August 25, 1910, which is a pronouncement of prime importance for the criticism of the type of "Religio-Civic Action" which he contemplates.

The letter, *Notre charge*, deals with the French social movement called the *Sillon*. Originally this organization was thoroughly Catholic and was praised by the Holy See. As time went on, however, it suffered from "liberal and Protestant infiltrations," its leaders became disobedient to ecclesiastical authority and taught the absolute leveling of social classes. Under these circumstances the Pope had no alternative but to condemn it and therefore wrote the *Notre charge*. This document is relevant to our present discussion because in it Pope Pius took occasion to point out the inevitable undesirable features involved in this type of intercredal co-operation. A Catholic who joins such a movement and co-operates on the basis of a "Common ground" must naturally keep silent on the full Catholic social doctrine. "What is to be thought of a Catholic," asks the Pope, "who on entering his study club checks his Catholicism at the door so as not to shock his comrades?" Again, such organizations overlook or implicitly deny the doctrine that only on the basis of the full Catholic social teaching can society be saved. This fact moves Pope Pius to be delicately ironical "Behold an interconfessional association founded by Catholics to work for the reform of civilization, a work which is in the first place religious; for there is no true civilization without moral civilization and there is no true moral civilization without the true religion."

I do not see how Father Murray can explain away a text like the one just quoted. It is no answer to say that the *Sillon* was criticized on other scores beside its intercredalism.[21] That is beside the point. The point is that in condemning it Pope Pius in the *Notre charge* put his finger on an evil which must be present in any "organizational unity that will be both spiritual and interconfessional,"[22] the evil, namely, that the Catholic member of such a group, while professing to act on religious as well as ethical grounds, must keep silent on the full Catholic doctrine. As far as the *full* social doctrine of the Church is concerned, he must "check his Catholicism at the door so as not to shock his comrades." Of course *Sillon* members could bring *some* Catholic doctrines into their study clubs, like the members of any "organizational unity that will be both spiritual and interconfessional." But this attitude is far from satisfying the Holy See! Father Murray, if I read him rightly, proposes that Catholics should take the initiative in founding an organization, at once spiritual and interconfessional, devoted to social reform. What Pope Pius X calls "an interconfessional association founded by Catholics to work for the reform of civilization" seems to be precisely what Father Murray proposes. But "an interconfessional association founded by Catholics to work for the reform of civilization" is precisely what Pope Pius X ridicules!

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[21] Murray, letter to the editor, *Theol. Studies*, 4: 472–74 (September, 1943).

[22] Murray, "Theory," p. 260.

It would be possible to quote other Roman documents reflecting the mind of the Holy See on "spiritual and interconfessional" organizations devoted to social reform,[23] but the mind of the Holy See is expressed so clearly in the *Singulari quadam* and the *Notre charge* that it is not worth our while. The attitude of Rome on intercredal co-operation toward social goals stands out so plainly from what has gone before that further discussion is unnecessary. Clearly, recent Popes have favored a sane and prudent co-operation between Catholics and non-Catholics for social reform; they have gone out of their way to bless it. But the Holy See has never betrayed the slightest enthusiasm for the specific brand of intercredal co-operation which is based on an organizational unity, with a program which is partly ethical and partly religious, the whole being divorced from an organic relation to the Church's pastoral authority. It is true that Pope Pius X once permitted and tolerated something like that in view of a peculiar set of conditions, but his language on the occasion was such as to discourage Catholics from repeating the experiment.

There remains something to be said about the prudent and legitimate type of co-operation which the Holy See has encouraged. After discussing at some length the necessity of "intercredal co-operation" Father Parsons writes a section entitled, "The Farther Goal," in the course of which he says:

> The full teaching of the Church, even as shown forth in all the Encyclicals, really proposes two distinct and successive steps that have to be taken

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[23] For example, the letter of Cardinal Merry del Val to the Baronessa de Montenach (*AAS*, 4: 462), the letter of the same prelate to Bishop Bougoüin (*AAS*, 4: 715), and his letter to M. Durand (*AAS*, 2: 311).

before society can be really organized on the basis of a full and integral Christianity. The first step is the healing of the social conflicts that divide men, as a preliminary to the second step, religious union.[24]

I am afraid that an incautious reader might gather from this language that the big job for Catholics at the moment, the first item on our *agenda*, the principal challenge to our social action, is intercredal co-operation which will operate, for the most part, on a more or less natural level, while the reconstruction of society through distinctively Catholic and supernatural methods is a "farther goal" which can be postponed at present. I do not think that Father Parsons intended to convey this meaning. I do not think that he meant that our fully Catholic and supernatural program should be, so to speak, relegated to the background for the time being while we concentrate on intercredal co-operation. But it is possible for the hasty reader to understand him in that sense and, as a matter of fact, I have spoken to more than one intelligent Catholic who read the pamphlet, *Intercredal Cooperation*, and came away with that impression. This is my excuse for discussing the matter.

The impression that intercredal co-operation is *the* duty of the moment, while fully Catholic and supernatural social action can remain in the background, is quite wrong. While the Popes invite the collaboration of non-Catholics in our program wherever such collaboration is feasible, the emphasis in the Roman documents is always on the supernatural. Pope Pius XI noted an historical fact: "In the final analysis every true and lasting reform has proceeded from the sanctuary."[25] Therefore it is quite logical that the *fundamental* remedy for the evils of our times is the action of Catholics applying the doctrine of the New Testament:

> As in all the stormy periods of the history of the Church, the fundamental remedy today lies in a sincere renewal of private and public life according to the principles of the Gospel by all those who belong to the Fold of Christ, that they may be in truth the salt of the earth to preserve human society from total corruption.[26]

Therefore it is not surprising that, even in discussing such a social evil as the totalitarian state which would seem to be purely secular in nature, the Popes constantly urge the practice of charity, the promotion of the lay apostolate, detachment from worldly goods, poverty and humility in the priesthood, and the prayers of children. Speaking of atheistic Communism and its concomitants, Pope Pius XI does not hesitate to say: "The evil which today torments humanity can be conquered only by a world-wide crusade of prayer and penance."[27]

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[24] Parsons, "Documents," p. 180.

[25] Pope Pius XI, encyclical, *Mit brennender Sorge*, March 14, 1937.

[26] Pope Pius XI, encyclical, *Divini Redemptoris*, March 19, 1937.

Those who overemphasize the importance of intercredal co-operation are apt to underemphasize the supernatural element in Catholic social action. I am afraid that even the wise Father Parsons nodded for a moment when he wrote:

> Leo XIII never had any other idea than that the ultimate transformation of human society, for which he had drawn up the master plan, would be carried out within the framework of what may loosely be called Christian philosophy. This thought he repeated too many times to quote here. On the other hand, his concrete proposals, the planks of his platform, were not derived from the Christian revelation as such, but from the normal operation of human reason.[28]

This seems a strange interpretation of the thought of the great Pontiff. Would it not be more accurate to say that his theoretical framework was not only Christian philosophy but Catholic theology as well? And as for his "concrete proposals"—how can one possibly deny that many of them were very obviously "derived from the Christian revelation as such"? For example in his encyclical on the Holy Eucharist Pope Leo spoke of the class struggle which involves "arrogance, asperity, fraud on the part of the more powerful, misery, envy, turbulence on the part of the poor." Here, certainly, was a concrete problem, calling for a concrete remedy. Did Pope Leo go on to propose some cure "not derived from the Christian revelation as such"? He did not. On the contrary, he stated that any such remedy would be impotent: "These are evils for which it is vain to seek a remedy in prudent legislation, in the threat of penalties, or in the counsels of human prudence."[29]

Pope Leo goes on to say that charity is the necessary remedy and that we must therefore turn to the Holy Eucharist, the great source of charity.

How can anyone read such passages and still deny that Pope Leo's concrete proposals were "derived from the Christian revelation as such"? I confess I cannot understand why. It would seem that some Catholic thinkers read the encyclicals with a particular attitude of mind. When a Pope speaks of the value of collective bargaining or suggests some specific sort of social legislation, they seize upon that as a "concrete proposal." But when he speaks with even greater emphasis of the Holy Eucharist, of children's prayers, of a great crusade of prayer and penance, these things somehow make no impression on their minds. For some reason these are not recognized as "concrete proposals." Of course, if one reads the documents in this frame of mind, one will get the impression that the Catholic program of social reform is based on human reason rather than on divine revelation. Once that impression is fixed in the mind, the enormous difference between Catholic and non-Catholic techniques for meeting modern social problems fades away and it is easy to overemphasize the importance of intercredal co-operation.

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[27] *Ibid.*

[28] Parsons, "Documents," p. 164.

[29] "Quibus quidem malis frustra a providentia legum, a poenarum metu, a consiliis humanae prudentiae quaeritur sanatio." Pope Leo XIII, Encyclical, *Mirae caritatis*, May 28, 1902.

The mind of the Church, as revealed in the Roman documents, is althogether different. The mind of the Church is that "every true and lasting reform has proceeded from the sanctuary." Therefore the basic Catholic solution for the evils of society is a supernatural solution. But since the natural does not contradict the supernatural and since the two are woven together in a complicated pattern in human society, the Church fully recognizes the subordinate but great importance of natural means, labor unions, factory legislation, efficient social work, public health regulations. Because those outside the Church can co-operate with us in these matters, the Popes have repeatedly proposed, not so much that we should co-operate with non-Catholics, but rather that they should co-operate with us. If this be called "intercredal co-operation"—I distrust the connotation of the term—then intercredal co-operation is obviously favored by the Holy See.

The papal directives which have been reviewed in this article bear an important lesson for American Catholics. They warn us against an exclusiveness, a spirit of separatism, which would prevent our free and frank collaboration with all men of good will outside the Church. Thus far, it seems to me, this spirit has not been an important evil among American Catholics; but it is a spirit against which we ought certainly to be on our guard. But the documents teach us another lesson and one which is extremely important here and now. This is the lesson of the supernatural. Never let us forget that "every true and lasting reform has proceeded from the sanctuary." There is enormous room for improvement in this aspect of our social action. We have scarcely begun, in this country, the organization of Catholic associations for workingmen. Catholic action in the true sense, repeatedly urged and strongly commended by the Popes, has barely made its appearance in the United States. Where is the great "crusade of prayer and penance" which Pope Pius XI prescribed as the only remedy for "the evil which today torments humanity"? How often have we preached detachment from worldly goods as a defense against Communism? How often have we pointed to the Holy Eucharist as the only remedy for the class struggle? By all means let us continue our collaboration with non-Catholics, but until we put an enormously greater emphasis than we do now on the supernatural and distinctively Catholic elements in our social program we shall not be doing our full duty in the struggle against the evils of society.

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COMMUNICATION WITH NON-CATHOLICS IN SACRED RITES

The numerous possibilities of communication in sacred rites between Catholics and non-Catholics—*communicatio in sacris,* as it is technically called—furnish moralists with abundant matter for discussion. Problems relative to this subject are especially frequent in the United States, where Catholics have so many neighbors and acquaintances of other religious beliefs with whom they are on the most friendly terms. That distinguished theologian of the nineteenth century, Archbishop Francis Patrick Kenrick, treated many aspects of this question proper to the United States, and his decisions still provide prudent norms for the people of this country.[1] However, in more recent times new situations have arisen, particularly in connection with the war, which call for further discussion. Indeed, in view of the pronounced tendency toward latitudinarianism prevalent in our land, it is feasible for priests to review, from time to time, the basic principles for discerning what is lawful and what is unlawful in the matter of *communicatio in sacris,* so that they can guide aright those committed to their care, and also settle correctly problems that may concern their own conduct. The purpose of this paper, therefore, is to explain the fundamental teachings of moral theology relative to such communication, and to apply them to cases most frequently encountered in the United States at the present day. Let me premise that some of the statements made in this article represent only an opinion, which might not be accepted by all theologians. But, at any rate, these matters should be discussed, freely and thoroughly, so that the pastoral teaching and admonitions of our bishops and priests may be consistent and uniform.

Communication of Catholics with non-Catholics in sacred rites is not synonomous with *co-operation* toward non-Catholic religious worship. This latter term embraces such actions as contributing money toward the building of a Protestant church, making vestments for heretical ceremonies, giving altar-breads and wine to a non-Catholic clergyman for his communion service, etc. Such actions are not included under the term *communicatio in sacris.* To what extent they are unlawful will not be discussed here. A person is said to communicate in the sacred rites of another denomination when he actually participates, at least by his presence, in some form of religious service with persons of this denomination. This is the topic to be considered in the present article.

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[1] *Theologia Moralis* (Philadelphia, 1842), Tr. XIII, n. 34 f.

The act of worship in which one communicates may be public or private. It is not easy to lay down a definite rule for distinguishing these two forms of worship, as far as the present question is concerned. Certainly, it does not depend on the number of persons participating in the prayer or service. Thus, the administration of baptism by a minister according to the ritual of his denomination is a public act, however small the number of those assisting. On the other hand, the large group saying grace before dinner or joining in prayer on a life-raft are performing a private act of worship. Perhaps the most precise rule would be this: When a religious denomination authorizes a determined form of worship as suitable for a particular purpose the act is public. The *authorization* of the act with some manner of determination as to its form and end seems to be the essential note of public worship, as the term is used in discussing *communicatio in sacris*. It is not necessary, as far as the Protestant sects are concerned,[2] that a clergyman of the particular denomination conduct the service. If a Presbyterian minister officiates for a group of Baptists, following their ritual, it is a public Baptist service. If a Catholic priest were to read the approved Methodist burial service over the body of a member of that denomination, he would be taking an active part in a public Methodist service.

But, for a public act of worship in the Catholic Church a priest must officiate—at least ordinarily.[3] Thus, if a lay person or a non-Catholic clergyman were to read the commitment prayers of the *Ritual* over a deceased Catholic, it would be a private, not a public act of worship. In other words, the Catholic Church authorizes only Catholic priests (at least under ordinary circumstances) to conduct public worship. On the other hand, not every act of worship performed by a priest, even in the presence of a large group, can be regarded as public worship. Thus, when a priest recites a prayer at the civic services on Memorial Day, it is only a private function, since his prayer has not been authorized by the Church for such an occasion.

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[2] Probably this would not apply to Episcopalians, especially those of the "High Church" party, who require ordained clergymen for their public services.

[3] There are some exceptions. Thus, the administration of Baptism by a deacon, acting as extraordinary minister, is a public act of divine cult in the Catholic Church.

In treating of *communicatio in sacris* it is important to remember that not only the participation of Catholics in public non-Catholic worship, but also the active participation of non-Catholics in public Catholic worship is *per se* forbidden. Of course, this is evident in the matter of the reception of the sacraments and the function of godparent at Baptism.[4] The same principle of exclusion holds, *per se*, in regard to such modes of participation as singing in the choir for for liturgical services, receiving blessed ashes and palms, taking part in a Corpus Christi procession, etc.[5] The reason for this prohibition is to be found in the fact that by allowing non-Catholics to participate actively in public Catholic worship, Catholics are liable to give the impression that religious differences are unimportant, that Catholic cult is common ground on which all may freely meet, whatever may be their particular beliefs. However, circumstances may sometimes render the danger of giving this impression sufficiently remote to make it permissible for non-Catholics to communicate in some forms of Catholic worship. Thus, the Code allows exorcisms and blessings to be given to non-Catholics, though it adds that at least one of the purposes of a blessing should be the procuring of the light of faith.[6] Likewise, with certain qualifications, the Holy See has allowed non-Catholics to sing and to play the organ at church services.[7]

However, these concessions should not be pressed too far, for they are exceptions to a law having a very important connotation. A pastor would not be justified in having a non-Catholic organist or non-Catholic singers, unless circumstances render it impossible or very difficult to obtain Catholics. Even the giving of blessed ashes or palms to non-Catholics in church is not *per se* permissible. It is true, Davis teaches that the public giving of palms, etc., to non-Catholics is now allowed,[8] but the decision which he cites refers to catechumens, not to non-Catholics in general.[9] If a non-Catholic should present himself at the altar-rail for ashes or for palms, by a reasonable use of *epicheia* a priest could confer the sacramental, in view of the unfortunate consequences which would otherwise ensue; but it must always be remembered that this is an exception to a rule, which needs a justifying cause.

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[4] Can. 731, §2; 765.

[5] S.C.S. Off., June 22, 1859; *Fontes Juris Canonici* (Rome, 1926), IV, n. 952.

[6] Can. 1149; 1152.

[7] S.C.S. Off., Feb. 23, 1820; Jan. 24, 1906; *Fontes Juris Canonici*, IV, nn. 858, 1276.

[8] Cf. *Moral and Pastoral Theology* (New York, 1938), I, 290, note.

[9] S. C. Rituum, March 8, 1919; *AAS*, XI, 144.

Similarly, the participation of a non-Catholic as bridesmaid or best man at a Catholic marriage is a form of *communicatio* that can be permitted only for a very good reason. The mere fact that a non-Catholic girl is a very dear friend of the bride does not seem a sufficient reason for allowing her to be first bridesmaid. On the other hand, if the bride is a convert and naturally wishes to have her sister, still a non-Catholic, act as bridesmaid, there would ordinarily be no difficulty about granting permission.[10]

Some modern theologians are inclined to be generous in the granting of certain sacraments—Baptism, Penance and Extreme Unction—to dying non-Catholics, presumed to be in good faith and to be desirous of serving God according to their lights, especially when they are unconscious.[11] The problem might arise of a person asking a Catholic to baptize him, but wishing to receive the sacrament precisely as an initiation into a non-Catholic denomination. Thus, an injured man is dying, and the only person with him is a Catholic priest. The dying man asks the priest to baptize him as a Methodist, for his good parents were Methodists, and he himself always intended to join this denomination, though he never got around to having himself baptized. The priest could aid the man in making acts of faith in the essential truths and of perfect contrition, but as long as he is conscious and retains the intention of explicitly receiving Baptism as a means of affiliation with a non-Catholic sect, the priest would not be allowed to baptize him. On the other hand, if a person in a similar situation simply wishes to be a Christian, without explicitly choosing any particular denomination, he could be baptized, after accepting the essential truths, provided he has at least the general intention of subsequently seeking the true form of Christianity, in as far as he is able.[12]

However, most of the problems that confront us in the matter of *communicatio in sacris* concern the participation of Catholics in non-Catholic worship. The distinction made above, between public and private acts of worship, is very important in this connection. *Per se,* Catholics are not forbidden to take part in private acts of worship with non-Catholics—even though these latter conduct or lead the prayer or service—provided nothing is expressed or implied that is contrary to faith or morals. Thus the husband and wife of a mixed marriage could pray together, Catholic soldiers could join in supplication with their non-Catholic comrades under fire in a fox-hole, etc. The prayer would not necessarily have to contain anything specifically Catholic or even Christian; it could be a prayer to the one true God, the Father of all mankind, without any reference to the Holy Trinity or to Our Lord. A prayer of this nature could be recited by Catholics and Jews in common. However, if the prayer contains, either expressly or by implication, any statement opposed to Catholic doctrinal or moral teaching—for example, that all religions are equally pleasing to God, that man is justified by faith alone—a Catholic may not join in it. From this standpoint, it is well to note, some of the "negro spirituals" may not be sung by a Catholic. Above all, it must be membered that even when all the intrinsic conditions are fulfilled for lawful participation of Catholics with non-Catholics in private worship, there may be extrinsic circumstances which would render it sinful. Such are particularly the danger of perversion and scandal, which would usually be present if the communication of Catholics in private non-Catholic worship were habitual. Furthermore, the implication of essential unity between Catholicism and other religions must be carefully avoided.

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[10] S.C.S. Off., Aug. 19, 1891; *Fontes Juris Canonici,* IV, 1144. This decision implies that the Ordinary is first to be consulted.

[11] Cf. Kilker, A. J., *Extreme Unction* (St. Louis, 1927), p. 124 f.

[12] Can. 752, §2. It is presumed, of course, that the occasion does not allow further instruction.

A pertinent problem is the question of the recitation of the Our Father by Catholics with Protestants who subjoin the words: "For thine is the kingdom and the power and the glory forever." Certainly, there is nothing heterodox in these phrases. Indeed, they are incorporated into the Lord's Prayer by some Oriental Catholics. However, since these words are regarded in our country as a distinctively Protestant addition to the prayer, their use by a Catholic would be reasonably construed as an approbation of Protestantism. Hence, on those occasions when Catholics join with non-Catholics in reciting the Our Father as an act of private worship, they should stop after the clause "deliver us from evil" (and, better still, add "Amen"), leaving the others to continue the prayer if they wish. In many of the public schools of our country the morning session is opened by the common recitation of this prayer. We should not oppose this custom, for it affords a slight antidote to our godless system of education. But Catholic teachers and pupils should be instructed by their priests as to the manner in which they may participate in this prayer. I have heard of instances in which Catholic boys and girls, and even Catholic teachers, apparently in good faith, recited this prayer according to the Protestant formula.

When there is question of the communication of Catholics in public non-Catholic worship, the matter is quite different. The law of the Church is thus succinctly stated in the Code: "It is not lawful for the faithful in any way whatsoever actively to assist or to take part in the rites of non-Catholics. Passive or merely material presence can be tolerated for the sake of civil duty or honor, on account of a grave reason, to be approved by the bishop in case of doubt, at the marriages, funerals and similar solemnities of non-Catholics, provided the danger of perversion and of scandal is not present."[13]

A person assists actively at a religious service if he joins in the prayers, sings with the congregation, takes part in a procession which is a part of the ritual, receives the sacraments or the blessings, etc. Under no circumstances may a Catholic participate in this manner in any public non-Catholic worship, according to the prescription of the Code, and this is simply a declaration of the law of God. It is important to emphasize the reason of this prohibition. It is not precisely because the non-Catholic act of worship contains something false, for it could happen that the doctrinal content of a non-Catholic service would be entirely orthodox, fully conformable to Catholic teaching. The basic reason is that any form of public worship divorced from the authorization of the Catholic Church is opposed to the divine plan. The Son of God delegated to His one true Church the exclusive right to determine the manner in which public worship should be offered, the persons entitled to conduct it, etc. Hence, any act of public worship lacking the authorization of the Church is objectively displeasing to God, however excellent may be the subjective dispositions of those who perform it.

By passive or merely material assistance at a religious service is meant mere presence without contributing any word or action which could reasonably be interpreted as a concurrence in the religious aspect of the rite. Whenever a Catholic is permitted to assist passively at a non-Catholic public act of worship, he can and should perfrom those actions that common courtesy demands. He should uncover on entering the church (or keep his hat on when assisting at Orthodox Jewish services) and maintain a decorous silence; he should stand or sit with the congregation. Every one knowns that these acts are simply marks of deference and consideration for the worshippers; they are not an approbation of the worship itself. Kneeling during Protestant services does not seem proper for a Catholic. Indeed, if the minister were a high-church Anglican, regarding himself as a true priest, a Catholic would have to regard the act of kneeling at the "consecration" as idolatry. But, even apart from this case, the rule laid down by Bancroft, C.SS.R., should be known and followed by Catholics:

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[13] Can. 1258.

> In itself kneeling at religious worship implies a religious attitude, rather than one of mere respect and decorum, which is all that should be reasonably expected at religious services when a person does not adhere to the tenets and practices of a sect. Even if there is a custom looking upon kneeling merely as an act of politeness, it is not to be encouraged by Catholics. . . . Not to kneel during non-Catholic services will not give offense ordinarily, for it generally happens that non-Catholics do not kneel when they attend Catholic services. There is no need for Catholics to be "broad-minded" in a matter of this kind.[14]

It must be emphasized that even merely passive assistance at non-Catholic public worship is not tolerated except for a grave reason, for normally it is a danger to the faith and a source of scandal. The Code asserts that it can be allowed for the sake of "civil duty or honor," which would include the functions of a public official (for example, the Catholic fire commissioner attending the funeral rites of a Protestant or Jewish fireman), and the marks of affection expected of a near relative or very dear friend (for example, the convert attending the wedding of his non-Catholic brother). The Code explicitly mentions attendance at funerals and marriages, but by adding "similar solemnities" it indicates that there are other occasions when Catholics may lawfully assist at the public religious rites of non-Catholics. Such would be the services held in connection with the crowning of a non-Catholic monarch, or the baptism of a near relative. Even attendance at an ordinary Sunday service could sometimes be justified, as in the case of the Catholic governess who is required by her employer to bring the children to the Protestant church. Similarly, a young girl who has become a Catholic could occasionally assist by material presence with her parents at a Sunday service in order to placate them somewhat and avoid their pronounced antagonism. But it will hardly ever be licit for a Catholic to attend non-Catholic services regularly, for this requires a most grave reason.[15] And—it must be repeated—all this presupposes that the danger of perversion and of scandal has been removed, for if such danger is present, nothing will justify voluntary attendance at non-Catholic worship.

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[14] Bancroft, J. R., C.SS.R., *Communication in Religious Worship with Non-Catholics* (Washington: Catholic University, 1943), p. 82.

The application of these principles to problems which arise frequently in our land should be familiar to Catholics, particularly to the clergy. In the first place, there is the case of the Catholic who has the chance to earn a few sorely needed dollars by playing the organ or singing in the Protestant church. He is sufficiently grounded in the faith to be safe from the danger of perversion; he will attend Mass faithfully every Sunday before fulfilling his function at the non-Catholic service. Nevertheless, the answer must be an absolute: *Non Licet.* To sing or to play the organ for a non-Catholic service must be regarded as an active participation in the act of worship, which can never be justified. Such is the practically unanimous teaching of Catholic theologians,[16] corroborated by a decision of the Holy See to the effect that a Catholic might not play the organ at non-Catholic services, even though he needed the money as a means of livelihood.[17] The same principle applies to singing in the choir of a non-Catholic church.

The Catholic who wishes to be best man or first bridesmaid[18] at a non-Catholic church wedding also presents a problem. Certainly, such participation must be ruled out in the event that the marriage is evidently invalid according to Catholic standards—for example, if one (at least) of the couple is a Catholic or a divorced person whose real spouse is still living. But when there seems to be no impediment to a valid marriage, the question of the attendance of a Catholic as best man or bridesmaid centers primarily about the belief of the particular denomination as to just what part these functionaries take in the ceremony. If this sect regards these two as official witnesses, requisite for the religious aspect of the marriage, their participation must be considered formal and active *communicatio*, forbidden to Catholics. If they are regarded merely as attendants to the bridal couple, their participation is material and passive. Noldin-Schmitt, Genicot-Salsmans and McHugh-Callan believe that in the United States the bridesmaid and best man are not regarded as active participants in the religious ceremony.[19]

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[15] Cf. Lehmkuhl, A., S.J., *Theologia Moralis* (Freiburg Brisg., 1914), I, n. 809,

[16] Cf., for example, Noldin-Schmitt, S.J., *Summa Theologiae Moralis* (Innsbruck, 1939), II, n. 39; Pruemmer, D., O.P., *Manuale Theologia Moralis*, (Freiburg Brisg., 1935), I, n. 526; Aertnys-Damen, C.SS.R., *Theologia Moralis* (Turin, 1939), I, n. 314.

[17] S.C. de Prop. Fid., July 8, 1889; *Coll. S.C.P.F.*, II, n. 1713.

[18] Sometimes called maid (or matron) of honor.

Another aspect of this problem mentioned by some theologians[20] concerns the question whether the bridesmaid leads the bride to meet the groom or to the altar or minister. In the latter supposition there would seem to be an implicit approval of the sectarian religious ceremony or acknowledgment of the minister's authority. However, as church weddings are conducted in our country today it would seem that the bridesmaid leads the bride to meet the groom, so that there would be no difficulty on this score. Some may regard this as an example of unreasonable hair-splitting, but in reality it is an important point, since it involves the vital distinction between active and passive communication in an unauthorized act of worship.

At any rate, Catholics should be advised to decline invitations to be best man or first bridesmaid at non-Catholic church weddings. Even those who uphold the more lenient view on this subject require a very good reason to justify this manner of participation. Such would be the case of a convert, wishing to be bridesmaid at her Protestant sister's wedding; but the mere fact that a Catholic girl is an intimate friend of the bride is not a sufficient reason. Even to act as ushers, extra bridesmaids, flower-girls, etc., at a non-Catholic church wedding, Catholics should have some special reason over and above mere friendship.

As was previously stated, Catholics may at times be lawfully present at a non-Catholic baptism. But this does not mean that a Catholic may act as the godparent. Although some of the older theologians held that in certain circumstances a Catholic could lawfully act as sponsor at a baptism administered by an heretical minister,[21] it is now certain, in view of a decision of the Holy Office[22] that such participation is illicit. Indeed, to act as godparent at a baptism in a non-Catholic rite must be regarded as active *communicatio in sacris*, which can never be permitted.[23] Sad to say, one sometimes reads in the newspapers that some prominent Catholic served as godparent at a Protestant baptism. At most, a Catholic could be a witness or an honorary sponsor at a non-Catholic baptismal ceremony.[24]

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[19] Cf. Noldin-Schmitt, *op. cit.*, II, n. 39; Genicot-Salsmans, S.J., *Casus Conscientiae* (Brussels, 1928), p. 33; McHugh-Callan, O.P., *Moral Theology* (New York, 1929), I, n. 974.

[20] Cf. Merkelbach, B., O.P., *Summa Theologiae Moralis* (Paris, 1938), I, n. 756; Wouters, L., C.SS.R., *Manuale Theologiae Moralis* (Bruges, 1932), I, n. 500.

[21] Cf., for example, Laymann, *Theologiae Moralis* (Venice, 1719), Lib. V, tr. II Cap. IX, n. 5 f.

[22] S.C.S. Off., Jan. 3, 1871; *Fontes Juris Canonici*, IV, n. 1013.

Sometimes in a small town the public school graduation is held in a Protestant church, despite the fact that there are Catholic children among the graduates. If the church is used in lieu of a hall, and no Protestant services are incorporated into the exercises, there is no grave objection to this practice. But if the minister uses the occasion to conduct denominational worship, the Catholics of the town, under the leadership of their pastor, should protest vigorously. In the event that the children will not be given their diplomas if they do not attend, they should be told that they may be present, but must not take any active part in the non-Catholic religious service.

Sometimes a Catholic has occasion to assist a non-Catholic at the point of death, when it would evidently be imprudent, or even harmful, to try to persuade the dying person of the truth of the Catholic religion. In such circumstances the Catholic should not recite the official or authorized prayers of a non-Catholic denomination (supposing these were available), for that would make the Catholic an active participant in an unauthorized form of public worship, in the sense explained above. But the Catholic could say prayers which would be acceptable to the dying person, even though they would not be distinctively Catholic, as long as they are not contrary to any Catholic doctrine. Thus, for a Christian who is not a Catholic he could recite an act of faith in the four essential truths—God's existence. His justice in rewarding and punishing, the Holy Trinity, the Incarnation and Redemption; for a Jew he could make an act of faith in the first two of these. A general acceptance of all that God has revealed should be subjoined, and then an act of contrition for all the dying person's sins should be suggested, based on the goodness of God which has been offended.[25] Our Catholic chaplains have frequent opportunity to assist dying non-Catholics in this manner nowadays, and every Catholic, whether lay person or priest, should be prepared to render this service if the need arises.

[23] Cf. Bancroft, *op. cit.*, p. 99.

[24] Cf. Pruemmer, *op. cit.*, I, n. 536; Noldin-Schmitt, *op. cit.*, II, n. 39.

[25] Monsignor Raphael Markham of Cincinnati has published a brief formula of prayers, containing the essential elements of faith and of perfect contrition, which can appropriately be recited for dying Christians who are not Catholics.

Priests are sometimes presented with the problem of saying prayers at the funeral rites of deceased non-Catholics. There is a decree of the Holy Office forbidding a priest to accompany the body of a heretic to the cemetery in a place where there is no minister of the deceased person's sect, even though the body is not brought to the church.[26] However, private religious acts at non-Catholic funerals are not in themselves illicit, and in our country today it would ordinarily cause no scandal if a priest visited the home of a deceased non-Catholic friend and said a prayer with the bereaved family for divine comfort and strength. But he should not conduct the formal funeral service, either in the home or at the grave, even though it took the form of a private, non-liturgical ceremony.

The circumstances are somewhat different in the case of a Catholic chaplain, called on to officiate at the burial of a non-Catholic soldier or sailor, when he is the only chaplain available. There would be no danger of scandal in his participation on such an occasion for it is evident that he has no intention of minimizing the distinction between Catholicism and other religions, but is simply performing a deed of Christian charity, which our government expects of every chaplain, whatever his creed. However, at such a ceremony the Catholic chaplain should not conduct an official, liturgical ceremony, either Catholic or non-Catholic. He could recite the Our Father, read some portions of Sacred Scripture, and say a prayer that God may strengthen and console the deceased man's relatives. It would seem advisable not to make any mention of Purgatory, though he could pray that the departed soul may enjoy eternal rest and that it may soon be admitted to the happiness of heaven. Of course, in his own private devotions the priest can pray that the soul of the deceased non-Catholic may be released from Purgatory, and he may even celebrate Mass for this intention, though privately.[27] On the other hand, at the funeral services of a Catholic, when no priest is available, there would be no objection, from the standpoint of the principles of *communicatio in sacris*, if a non-Catholic chaplain recited some prayers acceptable to Catholics. Some of the prayers given in the vernacular in the small Ritual would be appropriate for such an occasion.

Catholic chaplains in the service are sometimes required to conduct what is called a "general service"—that is, a service of a sufficiently indefinite character to be acceptable to Protestants of all denominations and to Jews. Such a service could comprise some hymns, readings from the Old Testament, a prayer for our country and its leaders and a sermon on some natural virtue. Absolutely speaking, there would be no objection to the participation of Catholics in such a service, but the Military Ordinariate has issued this order to Catholic chaplains of the army and navy: "You should never hold a general service when there is a non-Catholic chaplain on the post or a minister available nearby who can be brought in for the purpose.. . . If you must hold general service, ask Catholic men to stay away and to come only to Mass. At Mass tell them why—that too many of them have come to the notion that the general service is a substitute for Mass."[28] *A fortiori*, Catholic soldiers and sailors are told to stay away from a general service conducted by a non-Catholic chaplain, even though that is the only service available to them on Sunday. Although theoretically such a service would seem to come under the definition of a private act of worship, it is in practice so similar to a public non-Catholic religious function as to constitute a real danger to Catholics who might attend, particularly the less enlightened.

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[26] S.C.S. Off., Jan. 26, 1886 (unpublished, but given by Noldin-Schmitt, *op. cit.*, II, n. 39).

[27] Cf. Pruemmer, *op. cit.*, III, n. 250.

Sometimes a prominent Catholic is invited to address the congregation in a Protestant church or in a Jewish synagogue. If his lecture is to be entirely dissociated from every form of public service, it may be permitted, particularly if his theme will be the explanation of some distinctively Catholic doctrine, such as the primacy of the Pope or the sacredness of marriage. But if he intends to employ the opportunity by giving expression to vague and trite platitudes about brotherhood and good will, he will probably do more harm than good, for he will be understood by the listeners as upholding the doctrine of indifferentism. Of course, if the lecture is intended to be a part of the public service, a Catholic could not deliver it, since that would be active *communicatio in sacris*.

The principles pertinent to participation in religious rites with non-Catholics are quite simple and logical, but their application to concrete cases is sometimes far from easy. The particular problems that have been discussed in this paper have been chosen as the most common; many others arise from time to time in our country. When faced with a problem of this nature Catholic bishops and priests must remember that their first duty is to preserve from even the shadow of compromise the unchangeable principles of the Catholic

[28] Circular Letter of Military Ordinariate to Chaplains, n. 33, Aug. 14, 1943.

faith. We live in an atmosphere of indifferentism; we are constantly hearing such stupid statements as: "All religions are equally good. . . . It is deeds, not creeds, that count. . . . Every one has the God-given right to practice any religion that appeals to him, etc., etc." Add to this the undeniable fact that many non-Catholics (including clergymen) are trying to break down the barriers between their sects and the Catholic Church, and even striving to induce Catholics to participate actively in their rites. There have been instances of Protestant chaplains in the present war who endeavored to convince Catholic soldiers that their ministrations are just as effective and just as beneficial for them as those of the Catholic priest.

In view of these conditions, we cannot relax our vigilance, we cannot allow our attitude toward communication with those of other religions in acts of worship to remain ambiguous. Our Catholic people must be emphatically warned that they may take no active part in non-Catholic worship, and they must be counselled to limit their merely passive assistance at such worship to the very minimum. Temporal advantages, such as the fostering of friendship with those of other denominations, the strengthening of business ties, and political prestige, which may be gained by a "broad" outlook on attendance at non-Catholic services, offer a very inadequate compensation for the immeasurable tragedy of the weakening or loss of the one true faith. Far from minimizing the exlusiveness of the Catholic religion, our people should be instructed to proclaim it unhesitatingly whenever the occasion offers, and to let non-Catholics know that we consider them as deprived of the ordinary means of salvation, however excellent their intentions. Such is the attitude taken by Pope Pius XII in the Encyclical *Mystici Corporis*, where he speaks thus of those separated from the Catholic Church: "From a heart overflowing with love, We ask each and every one of them to be quick and ready to follow the interior movements of grace, and to look to withdrawing from that state in which they cannot be sure of their salvation. For, even though unsuspectingly they are related to the Mystical Body of the Redeemer in desire and resolution, they still remain deprived of so many precious gifts and helps from heaven, which one can enjoy only in the Catholic Church."[29]

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[29] *Mystici Corporis* (NCWC trans. [Washington, 1943], p. 63).

PAPAL DOCUMENTS OF 1941

In accordance with the plan proposed in the July issue of *The American Ecclesiastical Review*, in which was presented a first installment of a series of compendious reviews of the ecclesiastical documents issued by the Holy See during the last four years, there is offered here the second installment of the series, a descriptive catalogue of the papal documents of the year 1941.

The foremost place among these documents must be given to those emanating from the Holy Father himself, and among these to the Christmas messages of December 24, 1940[1] and of December 24, 1941,[2] the former an allocution to the College of Cardinals, and the latter a radio message to the world. In the former our Holy Father listed the indispensable requisites for a new order: triumph over hate, triumph over mistrust, triumph over pragmatism, triumph over economic disparity among nations, triumph over egoism. In the latter there was further insistence on fundamental conditions required for a just and lasting peace: respect for the integrity of other States, equal opportunity for national minorities, equitable economic opportunities for all States, limitation of armaments, respect for religion and the Church.

In his radio message to the world on Easter Sunday, April 13, 1941,[3] our Holy Father continued the theme of the Christmas messages and pleaded for a peace preserving the honor, the resources and the legitimate rights of all nations. Only a week later in his letter *Quamvis plane* to Cardinal Maglione, Secretary of State,[4] he summoned all Catholics, and especially children, to pray for peace during the month of May.

On Pentecost, June 1, our Holy Father delivered a discourse, *La*

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[1] *Acta Apostolicae Sedis* (*AAS*), XXXIII (1941), 5; cf. *Principles for Peace* (Washington: National Catholic Welfare Conference, 1943), pp. 703–708; cf. extracts in Gonella, *A World to Reconstruct*, English translation by T. Lincoln Bouscaren, S.J., (Milwaukee: Bruce Publishing Co., 1944), pp. 296 f.

[2] Bouscaren, *The Canon Law Digest* (Milwaukee: Bruce Publishing Co., 1943), II, 80; cf. *Principles for Peace*, pp. 750–62; cf. extracts in Gonella, *op. cit.*, pp. 298–302.

[3] *AAS*, XXXIII (1941), 112; *Principles for Peace*, pp. 710–715.

[4] *AAS*, XXXIII (1941), 110; *Principles for Peace*, pp. 715–717.

Solennità della Pentecoste,[5] over the Vatican Radio to commemorate the fiftieth anniversary of the Encyclical, *Rerum novarum*, of Pope Leo XIII, in which he reaffirmed the principles of that Encyclical and of the Encyclical, *Quadragesimo anno*, issued by Pope Pius XI on the fortieth anniversary of the former. The next day in his allocution to the College of Cardinals, *La Grandissima Solennità,*[6] he observed his patronal feast day and prayed that he might be able to continue his works of charity among the victims of the war.

On June 29, in a radio address, *In Questa Solennità,*[7] he commemorated the Feasts of SS. Peter and Paul, emphasizing the place of Divine Providence in human events and explaining how It can permit the sufferings occasioned by war.

On July 12, he wrote to the President of the Supreme Federal Council of Switzerland on the occasion of the six hundred and fiftieth anniversary of the founding of the Federation, and in the letter, entitled *Nuper agnovimus,*[8] he congratulated Switzerland on the peaceful role it had played in the history of Europe. Two weeks later, July 25, in a letter, *Permanentes litterae,*[9] addressed to Bishop Bieler of Sion and the other Swiss bishops, he expressed his intense desire that Switzerland might always remain an isle of peace.

The next day, July 26, he addressed by radio the Ninth National Eucharistic Congress in St. Paul, Minnesota,[10] stressing the thesis that unless a nation is buttressed by religion and morality, it cannot hope for peace or prosperity. A radio address was also made by him to the Eighth National Eucharistic Congress in Santiago, Chile, on November 9,[11] expressing the insistent hope that the peace of South America, symbolized by the Christ of the Andes, might spread over the entire world.

Replies made to the representatives of Peru[12] and Rumania,[13] are published in the *Acta Apostolicae Sedis*. The former, given on July

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[5] *AAS*, XXXIII (1941), 216; *Principles for Peace*, pp. 719–29; *The American Ecclesiastical Review*, (*AER*), CV (1941), 276.

[6] *AAS*, XXXIII (1941), 192; *Principles for Peace*, pp. 729 f.

[7] *AAS*, XXXIII (1941), 320; *Principles for Peace*, pp. 733–37.

[8] *AAS*, XXXIII (1941), 386; *Principles for Peace*, pp. 739 f.

[9] *AAS*, XXXIII (1941), 418; *Principles for Peace*, p. 742.

[10] *AAS*, XXXIII (1941), 353; *Principles for Peace*, pp. 731 f; *AER*, CV (1941), 475.

[11] *AAS*, XXXIII (1941), 443; *Principles for Peace*, pp. 744 f.

[12] *AAS*, XXXIII (1941), 357; *Principles for Peace*, pp. 740 f.

[13] *AAS*, XXXIII (1941), 359; *Principles for Peace*, pp. 742 f.

17, recalled the truth that all members of the human family are seeing more clearly each day their united destiny in happiness or misfortune, while the latter, given on August 1, repeated the time-proven truth that religion is the cornerstone required in the building of sound life within a nation.

On October 3, our Holy Father addressed the Most Reverend Auditors of the Sacred Roman Rota[14] on the occasion of the inauguration of a new courtroom for that Tribunal in the *Cancelleria Apostolica*. He adverted to the fact that since the right to marry is not to be taken away by any human authority, marriage can be denied a man or woman only when there is moral certainty that there exists a perpetual and antecedent incapacity. If such incapacity is alleged concerning a party who has already contracted a marriage, the same moral certainty is required to declare the marriage null. In the presence of such moral certainty, the marriage must be prevented or declared invalid. Our Holy Father commended the Sacred Roman Rota for its use of the theories of modern psychiatrists and psychologists in reaching moral certainty in cases of psychic impotence. He recalled that in cases involving physical impotence two tendencies were to be avoided: 1) that which ignored the secondary end of marriage and 2) that which considered the secondary end as not subordinate to but independent of the primary end. He insisted that the function of the ecclesiastical judge is to validate what is invalid so far as that can be accomplished; but that if the cause of invalidity is one in which a dispensation is impossible or inexpedient or if renewal of consent cannot be obtained, a judgment of invalidity cannot be refused a petitioner who seeks it justly and lawfully, always provided that moral certainty can be attained. Our Holy Father emphasized the necessity for the rigorous investigation of the conditions requisite for the extrinsic dissolution of marriage and the claims of Christian modesty in the prosecution of the investigation. Moral certainty as to the existence of these requisite conditions suffices. The judicial mind is not to be disturbed by the mania for divorce, but unperturbed by it, is to proceed by sound judgment and right conscience.

Two letters of the Most Reverend Apostolic Delegate to the United States, issued in 1941, are published with proper authorization by Bouscaren in his second volume of *The Canon Law Digest*. One, dated August 25, was graciously sent to the second annual conference of Youth Directors.[15] In it His Excellency recalled that the common bond that should bind all youth groups is the objective of the apostolate, to be exercised as a participation in the apostolate of the hierarchy, based on divine grace as a requisite foundation, under the approbation of the local Ordinary. He urged co-operation among the parish units, which are logically the fundamental groups in the structure, as well as co-ordination between these and district, diocesan, and national groups, especially with the National Catholic Youth Department of the National Catholic Welfare Council, the successor in 1940 of the National Catholic Youth Bureau established in February, 1937.

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[14] *AAS*, XXXIII (1941), 421; cf. *Principles for Peace*, pp. 743 f.

The other letter of His Excellency, dated June 12,[16] was addressed to the hierarchy and stressed the importance of census-taking, emphasizing the obligation of the bishops to see that pastors take the census carefully, accurately, completely, and regularly, keeping the data obtained on file. The letter suggested that the census call should not be identified with a collection visit and recommended the employment of other persons distinct from the parish clergy, if the latter are lawfully impeded from discharging this duty. It further adverted to the utility that might be found in the distribution by the respective chanceries of a uniform census questionnaire.

THE ORIENTAL RITE

The *Acta Apostolicae Sedis* for the year 1941 published two decrees of the Sacred Congregation for the Oriental Church, both issued under date of November 23, 1940. One[17] confirmed for ten years the provisions of the decree of the same Sacred Congregation, entitled *Cum data fuerit*, of March 1, 1929,[18] which laid down rather general regulations governing the clergy and faithful belonging to the Greek Ruthenian Rite in the United States. Two modifications in the text of the previous decree were made. One affected Article 15, which previously had provided for the removal of rectors of parishes and missions. As modified, this article provides that all rectors of parishes and missions are to be appointed by the decree of the respective Ordinaries without the interference of the laity. The other modification was inserted in Article 39, which previously had required that marriages be celebrated, in the case of contracting parties of mixed rite, in the rite of the woman and in the presence of the pastor of the woman. This provision remains, but it is now conceded that for a just reason and with the consent of the local Ordinary the marriage may take place in the rite of the man.

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[15] Bouscaren, *op. cit.*, II, 68.
[16] *Ibid.*, p. 147.
[17] *AAS*, XXXIII (1941), 27; *AER*, CIV (1941), 421; *The Jurist*, I (1941), 266.
[18] *AAS*, XXI (1929), 152.

The second decree[19] issued on the same day declared that Pope Pius XII in audience had decided that the faculty to transfer from one rite to another should be granted in the future only by the Holy See, thus revoking the faculty of Nuncios and Apostolic Delegates granted by the decree, *Nemini licere*, of December 6, 1928.[20]

MARRIAGE

The well known Instruction of the Sacred Congregation of the Sacraments of June 29, 1941[21], setting forth the rules to be observed by pastors in conducting the canonical investigation preceding marriage, is one of the outstanding documents issued by the Roman Curia in that year. Some weeks earlier, on May 10, 1941,[22] the Supreme Sacred Congregation of the Holy Office issued a reply concerning the validity of mixed marriages in which the Catholic party had failed to provide explicit *cautiones*. It was declared that though the Holy See requires explicit promises from both parties, nevertheless the marriage is to be considered valid if the promises have been given at least implicitly by both. As to the proper procedure to be followed in determining the validity of such a marriage, it was held that the case is not be tried under Canon 1990 unless it is certain that the conditions required by that Canon are verified.

THE HOLY EUCHARIST

Concern for the adequate custody of the Most Blessed Sacrament prompted the Sacred Congregation of the Sacraments on February 10, 1941,[23] to issue an exhortation in which it commended the efforts of local Ordinaries to promote the observance of the prescriptions of the Instruction of the Sacred Congregation issued May 26, 1938,[24] but urged repetition of the warnings and insisted that in case of sacrilegious theft, the administrative process prescribed in the former Instruction was to be accurately observed and the documents sent to the Sacred Congregation.

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[19] *AAS,* XXXIII (1941), 28; *AER,* CIV (1941), 422; *The Jurist,* I (1941), 267.

[20] *AAS,* XX (1928), 416.

[21] *AAS,* XXXIII (1941), 297; *AER,* CV (1941), 371; cf. commentary of Kay, *AER,* CVIII (1943), 14 ff., 93 ff.

[22] *AAS,* XXXIII (1941), 294; *AER,* CV (1941), 275; *The Jurist,* II (1942), 59.

[23] *AAS,* XXXIII (1941), 57; *AER,* CIV (1941), 423; *The Jurist,* I (1941), 268.

[24] *AAS,* XXX (1938), 198.

A compelling awareness of the superabundant value of the fruit of the Holy Sacrifice is apparent in the Instruction issued by the Sacred Congregation of the Council on July 14, 1941,[25] on the duty of exhorting the faithful to devout and frequent assistance at the celebration of the Holy Sacrifice. In it pastors are instructed to familiarize their people with the nature of the Holy Sacrifice, its excellence, its ends, its salutary effects for the life of the world, its impetratory and propitiatory value, and its rites and ceremonies; to impress them with the gravity of the obligation of hearing Mass on Sundays and holy days; to explain the rich blessings that accompany the reception of Holy Communion; to recall to them the dogma of the communion of saints which justifies the application of the fruits of the Mass to the living and the dead; to reprove the extravagant modes of living which withdraw the faithful from proper devotion to the Holy Sacrifice; and in promoting proper devotion to call on the assistance of the Confraternity or the Sodality of the Most Blessed Sacrament which is required to be established under Canon 711, §2, in every parish of the world.

PENANCE

Zeal for the spiritual welfare of persons detained in concentration camps caused the Sacred Penitentiary to grant by a decree of February 22, 1941,[26] to priests detained by public authority in special places of detention the faculty to hear the confessions of all persons similarly detained or staying within that place by reason of their duties, provided that the priests enjoy faculties for hearing confessions given them by their own Ordinaries and that these faculties have not been revoked.

HOLY ORDERS

A private interpretation given by the Sacred Congregation of the Sacraments is published by Bouscaren in his digest through the courtesy of the Most Reverend Apostolic Delegate.[27] The interpretation declared that tonsure and minor orders may be conferred on days when general ordinations take place under §§ 2, 3 of Canon 1006, and on those days also even though sacred orders are not conferred.

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[25] *AAS*, XXXIII (1941), 389; *AER*, CVI (1942), 36.

[26] *AAS*, XXXIII (1941), 73; *The Jurist*, I (1941), 270.

[27] *Op. cit.*, II, 250.

On July 25, the Sacred Congregation of Seminaries and Universities in conjunction with the Sacred Congregation of Religious issued a decree[28] requiring permission from the respective Sacred Congregations when one who had belonged to a religious community under title wished to enter a seminary or when one who had left a seminary for any reason desired to be ascribed to a religious community, the Sacred Congregation for Religious being the proper source of authorization in the latter case.

FAITH

The protection of the faithful against threats to the gift of faith was the objective of two decrees of the Supreme Sacred Congregation of the Holy Office issued in 1941, one on March 8 and the other three weeks later. The former[29] forbade the Marian Crusade, begun in 1937; the latter[30] insisted upon the necessity of careful censorship of books on the part of diocesan authorities through the instrumentality of censors thoroughly equipped in the fields covered by the books under review. The occasion prompting the issuance of the latter decree is indicated as the need which the Holy Office has experienced at times of withdrawing or forbidding books which local Ordinaries had permitted to be published.

RITES AND INDULGENCES

To facilitate the compliance with the conditions required for the completion of monthly devotions, the Sacred Penitentiary by a decree of March 10, 1941,[31] permitted that such devotions need not be closed at the end of the month but at the end of thirty days provided that the last day be a feast day. The decree refers to a similar concession made by the Sacred Congregation of Indulgences in regard to the monthly devotions in honor of St. Joseph.

On January 15, 1941,[32] the Sacred Congregation of Rites appointed St. Michael the Archangel as patron of radiology and radiotherapy for the dioceses of Italy.

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[28] *AAS*, XXXIII (1941), 371; *AER*, CV (1941), 480; *The Jurist*, II (1942), 61.

[29] *AAS*, XXXIII (1941), 69; *The Jurist*, I (1941), 269.

[30] *AAS*, XXXIII (1941), 121; *AER*, CV (1941), 112; *The Jurist*, I (1941), 270.

[31] *AAS*, XXXIII (1941), 129; *AER*, CV (1941), 112; *The Jurist*, I (1941), 271.

[32] *AAS*, XXXIII (1941), 128.

REPLIES OF THE PONTIFICAL COMMISSION FOR THE INTERPRETATION OF THE CODE

On April 8, 1941, and August 5, 1941, the Pontifical Commission issued interpretations, each document dealing with two distinct problems. On the first day[33] the following doubts were solved: the body of clerics of a church in which a funeral takes place who are to be preferred for participation in the funeral ceremonies does not include the capitulars of a cathedral or collegiate church; and cases of separation of husband and wife never become *res iudicata* under Canons 1903 and 1989. On the latter date,[34] the Commission offered the following solutions: outside his province an archbishop who has suffragans enjoys no precedence over an archbishop lacking them; and when a condemned delinquent dies it is not required under Canon 379, §1, to retain in the secret archives a summary of the case with the text of the sentence.

FAST AND ABSTINENCE

On July 4[35] the Sacred Congregation of the Council extended for a period of five years the faculty authorizing bishops in the United States to dispense from the law of fast and/or abstinence on civil holidays. In granting dispensations under this faculty the bishop is to mention that it is in virtue of an indult from the Holy See and to urge upon those benefiting by it to give alms to the poor in consideration of the favor. On December 19[36] the Sacred Congregation for Extraordinary Affairs granted a general faculty to all Ordinaries of places of every rite to grant a general dispensation from fast and abstinence available to all inclusive of even exempt men and women religious, with the exception of Ash Wednesday and Good Friday in the Latin Rite and any two days to be determined by Ordinaries of other rites. The document making this suggestion required that the beneficiaries, especially religious, be exhorted to make compensation for the favor by voluntary practices of mortification and expiation, by good works exercised in behalf of the sick and the poor, and by fervent prayers according to the intention of the Holy Father. In a letter of March 20, 1942, the Most Reverend Apostolic Delegate stated that this faculty included the authority to transfer the abstinence of the Saturdays of Lent to the Wednesdays of Lent, for which the bishops formerly needed a special Apostolic indult. Previous to the issuance of this general concession by the Sacred Congregation of Extraordinary Affairs, the Sacred Congregation of the Council, on December 20, 1940, had made a similar concession for the year 1941 but only for the dioceses of Italy.[37]

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[33] *AAS*, XXXIII (1941), 173; *AER*, CV (1941), 113; *The Jurist*, I (1941), 345.

[34] *AAS*, XXXIII (1941), 378; *AER*, CV (1941), 481; *The Jurist*, II (1942), 62.

[35] Bouscaren, *op. cit.*, II, 356.

[36] *AAS*, XXXIII, (1941), 516; *The Jurist*, II (1942), 181, 388.

PONTIFICAL BIBLICAL COMMISSION

In defense of the ancient versions of the Holy Scriptures, the Pontifical Biblical Commission, by order of our Holy Father, issued a letter to the hierarchy of Italy on August 20, 1941,[38] in which it condemned a booklet which was sent simultaneously to the Holy Father and to the hierarchy of Italy attacking the scientific study of the Scriptures as rationalism and modernism. The booklet, so the condemnation narrated, asserts that free rein must be given to the spirit if the Scriptures are to be properly understood. It belittles the study of the Oriental languages and of the other auxiliary sciences, exhibits contempt for the literal sense and its accurate investigation, and proposes a false theory of the authenticity of the Vulgate. The letter answered the attack by offering the recent teaching of the Holy See touching the literal sense, the proper use of the Vulgate, the study of Oriental languages, and the sphere of textual criticism. It explained that the Council of Trent declared the Vulgate "authentic" in a juridical sense, that is, as regards its use for proof in matters of faith and morals, but did not exclude possible divergences of the Vulgate from the original texts or from the ancient versions.

CATHEDRAL CHAPTERS

Three cases involving canonries and dignities in cathedral chapters were published in the *Acta Apostolicae Sedis* for 1941 together with the decision reached by the Sacred Congregation of the Council. The gist of two of the decisions[39] is the assertion that Canons 396, §1, and 1435, §1, propose a new common law touching the matter of dignities, abrogating special custom and privilege, and reserving them to the Holy See through the Apostolic Datary. One of the decisions[40] asserted further that appointments to canonries does not lie with the members of the chapter but is reserved to bishops under Canons 403 and 1432. In the third case,[41] a parish had been united with the dignity of the archpriest, but the latter renounced the right to name the vicar. It was held that he could renounce it only for himself and not for his successors, since there was here no question of a renunciation of the right of presentation under the right of patronage as covered by Canon 1451, or of a renunciation of a personal privilege, but of a privilege established in the form of law. The vicarship did not lose its nature, and appointment to it, even when made by the bishop during the life of the archpriest, was not governed by Canon 459 regulating the free appointment of pastors.

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[37] *AAS*, XXXIII (1941), 24.

[38] *Ibid.*, 465.

[39] *AAS*, XXXIII (1941), 70; *The Jurist*, I (1941), 265.

[40] *AAS*, XXXIII (1941), 333.

TRIBUNALS IN THE PHILIPPINE ISLANDS

In an instruction of April 28, 1941,[42] the Sacred Congregation of the Sacraments established regional tribunals at Manila, Cebu, and Lipa, providing that officers were to be appointed by the Ordinaries at the provincial meeting, and laying down norms for this appointment and for procedure.

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[41] *AAS*, XXXIII (1941), 369; *The Jurist*, II (1942), 60.
[42] *AAS*, XXXIII (1941), 363; *The Jurist*, II (1942), 60.

FIRST MASS MEMORIES

Among the priest's recollections, First Mass memories stand out as the most sacred and cherished. With gratitude to God we often recall the surpassing supernatural joy that was ours as we first offered this sublime act of the Mystical Body. And yet First Mass and its attendant celebrations are not all supernatural joy, for much of the natural, the human, even the commonplace enters in. As a matter of fact, the incidental human events often usurp first place in the memory: happiness of parents, devotion of relatives, unstinted generosity of friends impress us so deeply, we are more prone to remember what men contribute in material gifts than what God pours forth in supernatural graces. The mishaps too, the painful incidents, sure to happen and always prominent on such occasions, haunt the memory far too vividly for comfort.

At the time of the First Mass itself our hopes were high that the long-deferred reality might measure up to our eager expectations. In fact Christ's own sentiments were surely ours: "With desire I have desired to eat this pasch" (Luke 22:15). Yet, in spite of ourselves, the trifling events, the things that did not matter, so monopolized our attention we were almost unimpressed by the sublime act itself. Ceremonies, sermon and the rest distracted us grievously from the divine mystery of faith. When all was over, we had to seek a quiet corner to meditate on God's gift in an effort to realize the supernatural treasure that was ours at last. But life just insists on being that way: fleecy clouds, a puff of wind would scatter, obscure the sun; fleeting words stick tenaciously in the memory, while undying deeds slip quickly into oblivion.

These experiences at First Mass are the common lot of priests, and even of all men in the major happenings of life. The First Mass ever offered, Christ's own Mass at the Last Supper, shows similar characteristics. The actual Sacrifice was offered so unostentatiously, Christ might well have asked at its conclusion: "Do you know what I have done to you?" (John 13:12.) Minor characters and events appeared to dominate the scene as depicted by the Evangelists. Joy and sorrow mixed; the human contrasted with the divine. During the Supper the Apostles reacted in their typically exasperating way to the trying vicissitudes of the crisis, while Christ struggled to convey His farewell message. The distracting, distressing influences that beset our High Priest that night of the First Mass give us a feeling of kinship with Him in recalling our own similar difficulties. That might be one reason why God esteemed the full account worth preserving for all future generations. We who are in the habit of ignoring details in the Gospels, as we sift out the "faith and morals," will find the details of the Last Supper well worth our consideration.

PRECEDENCE DISPUTE

The first untoward event was the strife that broke out among the Apostles for the best places at table. Preoccupied with the strict rules prevalent for the assigning of such places, they ignored the Master's rather recent exhortation to seek the lowest place; it was one of His lessons they had little heeded and quickly forgotten. To find your First Mass guests embroiled in an argument over the seating arrangements is quite embarassing, to say the least; still more trying is the restoring of harmony without hurting anyone's feelings. In His characteristic way Christ accomplished the feat by assuming all the humiliation Himself: "He riseth from supper, and layeth aside his garments and, having taken a towel, girded himself. After that, he putteth water into a basin and began to wash the feet of the disciples and to wipe them with the towel wherewith he was girded" (John 13: 4–5). At last the oft-repeated lesson on humility was striking enough to take deep root in the hearts of the Apostles. Their very bickerings Christ employed to inculcate that humility of soul so necessary for the worthy reception of the Eucharist, now only moments away.

But the precedence dispute was to yield still another lesson, the need of spotless purity for the intimate sacramental union with Him. The Apostles were clean, all except the traitor; and yet they could have no part with Christ in the Eucharist unless He Himself cleansed them from every last stain. The dust they would pick up along the way of life, fine though it might be and scarcely noticeable, would cling to them until He would remove it. Consequently, to Peter's protest "Thou shalt never wash my feet" there was but one response, hard though it might sound: "If I wash thee not, thou shalt have no part with me" (John 13: 8).

Compared to the institution of the Eucharist, what an insignificant incident this dispute had seemed at the outset. Just a passing remark perhaps, "This is my place," like a spark in dry grass, had quickly enkindled strife. Had it happened to us, most of us would have been glad to forget the incident as something quite unpleasant and disturbing. Not so Christ. For Him it was an occasion to humiliate Himself in order to impress a much-needed lesson. Into the record of the good news of eternal salvation it went that men in all ages might come to know the way that leads to union with Christ.

Perhaps one reason why the incidental happenings of our First Mass haunt our memories is that they might have had far more important consequences; like Christ we might have turned them to fruitful advantage. Memory would then treasure the thought of the young priest who, at his First Mass celebration, imitated the humility of the Master at the Last Supper.

JUDAS

Another painful concern for Christ at the First Mass was the treachery of Judas. His many references to it clearly indicate how the thought of it weighed heavily upon Him. His happy anticipation of the countless souls the Eucharist would sanctify was eclipsed at the sight of Judas rushing to destruction in spite of His earnest efforts. His overwhelming sadness at the prospect wrings from His heart: "Amen I say to you, one of you that eateth with me shall betray me . . . but woe to that man by whom the Son of man shall be betrayed. It were better for him if that man had not been born" (Mark 14: 18, 21).

As the multiplied attempts to save the Apostle proved vain, what emotions filled Christ's soul, already intent on soon consecrating the chalice, "My blood of the new testament which shall be shed for many unto the remission of sins" (Matt. 26: 28). Yet, so restrained are the Evangelists in their accounts, so restrained was Christ Himself, we would have to conjecture such intimate details. We do get a glimpse of the profound emotion that stirred the Apostles, as with fearful uncertainty they began to ask Him: "Is it I?" (Mark 14: 19.) A moment later they have turned on each other demanding to know which one of them would do such a deed. The atmosphere, already charged from the strife over precedence, was favorable to suspicions of the most serious nature. The anxious thought strikes us: how will Christ, amid such fear and suspicion, succeed in inaugurating the mystery of love?

The problem soon vanishes as the further story of the impending ambush quickly unfolds. Peter, anxiously insistent that the traitor be revealed, beckoned the Beloved Disciple to use his influence with

Christ. Sharing the general anxiety and even fear lest it be himself, John immediately proposed the question: "Lord, who is it?" (John 13:25.) Doubtless it was because they cherished the hope of frustrating the plot that the Apostles sought so insistently to discover the identity of the traitor in their midst. What a scene would have resulted we can only conjecture. One feels certain that Peter, so quick to draw the sword on Malchus, would have pommeled Judas to turn him from his designs. That, of course, was not Christ's method; and once more He averts strife by sacrificing Himself. His words, "That which thou dost, do quickly" (John 13:27), sent Judas forth into the night to execute his nefarious plot. On the other hand, He guarded the secret so well that "no man at table knew to what purpose he said this unto him" (John 13:28), and He cleared the way for His own betrayal and arrest. As the dramatic incident is abruptly brought to a close, we realize another tense situation has been eased by the personal sacrifice of our High Priest.

THE FIRST MASS

With the departure of Judas, according to the general opinion today, all was ready at last for the First Mass. That moment to which Christ had alluded before had arrived, when He would fulfill His eager desire to eat the Pasch with His disciples before He suffered. The tempest had subsided, the Master having once more calmed the winds and waves of human emotions. Quiet, the hush that precedes the consecration of the Mass, pervaded the supper chamber. Each Synoptic writer, intent on the Eucharist, preserves the record without embellishment or explanation. Thus Matthew records the institution simply:

> Jesus took bread and blessed and broke and gave to his disciples and said: Take ye and eat. This is my body. And taking the chalice, he gave thanks and gave to them saying: Drink ye all of this. For this is my blood of the new testament, which shall be shed for many unto remission of sins. And I say to you, I will not drink from henceforth of this fruit of the vine until that day when I shall drink it with you new in the kingdom of my Father (Matt. 26: 26–29).

In substance those few lines give the story of the First Mass. Each Synoptic, realizing the Mass had but to be preserved in precise words, reported it as it was already deeply engraved in the memory of the early Church. As for the other events of the Last Supper, they may differ in the choice of incidents to be recounted; they may be obscure as to the nature of the meal itself, or whether the paschal lamb was eaten. But they left no such obscurities in the central picture of the Mass, drawn in so clear an outline and set forth in such a bright light.

The Apostles too, are in harmony with the general setting: they express no wonder, no surprise; they ask no questions, they bring no objections. Yet, almost every statement of Christ was challenging, inviting a question. Immediately on hearing "Take ye and eat. This is my body," they must have recalled: "How can this man give us his flesh to eat?" (John 5:53.) Or "Drink ye all of this. For this is my blood," challenged the prohibition in Leviticus: "If any man whosoever of the house of Israel, and of the strangers that sojourn among them, eat blood, I will set my face against his soul, and will cut him off from among his people" (Levit. 17:10). Undoubtedly Christ had prepared His Apostles for this; since that day at the Sea of Tiberias, He might have often repeated: "Except you eat the flesh of the Son of man and drink his blood, you shall not have life in you" (John 6:54). Little wonder then, that the reception of their First Holy Communion found them well prepared to accept this deep mystery of faith without questioning or objecting.

Quietly, tranquilly, solemnly the Eucharistic mystery is enacted. Only Christ speaks, only Christ acts, only Christ offers, only Christ is Victim. No one else says a single word or does a single thing. The First Mass is soon over. It is all and everything in itself; it needs neither human description nor comment.

Christians down through the centuries have unconsciously imbibed this spirit of unquestioning faith in the Mass. Quietly, tranquilly, solemnly, the priest enacts the Eucharistic mystery; instinctively the faithful perceive the power of God is at work. Indelibly fixed in their memory is the lesson taught at the Sea of Tiberias centuries ago, not to ask how or why, but only to believe. As a result, hidden in their deepest hearts and inmost souls is their faith in His mystery, and there they cherish it. Only the minor incidents and events float to the surface: they comment on the sermon, inquire about the ceremonies, discuss the congregation.

MAUNDY THURSDAY LITURGY

The outlook of the Mystical Body of Christ on all these matters is no different. On Holy Thursday she lays special stress on the institution of the Eucharist and the Priesthood. In a special way the Mass that day carries out the command of Christ to His Apostles to commemorate His Last Supper. But what strikes us in the present instance is that the identical overtones enter in to receive their proper emphasis. Like Christ, the Church has the treachery of Judas in mind, as she prays in the collect: "O God, from Whom Judas received the punishment of his guilt, grant us the effect of Thy clemency." From St. Paul she furnishes a similar thought in the epistle: "Therefore whosoever shall eat this bread, or drink the chalice of the Lord unworthily, shall be guilty of the body and of the blood of the Lord" (I Cor. 11:27). The gospel narrates the washing of the feet, while the communion verse returns to the same subject in Christ's words: "I have given you an example, that as I have done to you, so you do also" (John 13:15).

It is hardly strange then, that our own First Mass memories should bear a similar stamp. That is the way God planned it for His Son, Whom He called "a high priest according to the order of Melchisedech" (Heb. 4:10). The world over and the ages through, His plans are the same even for the least of us, His priests. That we be like Christ is also an important part of the divine plan. Consequently according to eternal counsels we are, in imitation of Christ, to turn to our advantage all circumstances, no matter how adverse. True, First Mass memories will remain what they are, but they can be a constant reminder that the most human incidents can profit us for time and eternity. Let joy and sorrow mix in our lives; let the human contrast with the divine. As other Christs we shall turn them to God's glory and the salvation of souls; above all, like Christ and the Mystical Christ, we shall cherish the First Mass among the most sacred of our memories.

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ST. ROBERT BELLARMINE'S MASS-THEORY: ITS HISTORY AND VALUE

In order to place in proper perspective the theory adduced by St. Robert Bellarmine in explanation of the essence of the Mass, one must first recall the circumstances which prompted this noteworthy contribution to the treasury of Catholic theological thought.

Many years had passed since Luther, Calvin, and the other reformers made formal disavowal of the reality and truth of the Eucharistic Sacrifice. For Luther, the Eucharistic Rite would consist not in a real sacrifice, but rather in a memorial ceremony, a sign or testament, promissory of sin's remission,[1] i.e., in a religious service whose whole *raison d'être* would be embodied in its relation to the one Redemptive Sacrifice offered on Calvary and never again to be repeated.[2] When his *Formula Missae et Communionis* appeared at Wittemberg in 1523, these novel ideas took concrete expression.[3] Within a few years the other reformers, despite their myriad shades of doctrinal diversity, substantially concurred with Luther in repudiation of the traditional reality and truth of the Eucharistic Sacrifice.

The Catholic theologians of the day were certainly not remiss in buckling on the sword of doctrine and eloquence in defense of a doctrine which was hallowed by the unbroken tradition of fifteen hundred years. As time passed, however, it became increasingly evident that their noblest efforts were far from adequate to stem the rising tide of heresy. The necessity of a General Council became more and more imperative. The time of its assembly was 1545; the place—Trent, and in due season the Church of Rome promulgated to the world in language lapidary in its simplicity, yet apodictic in its certainty, her changeless and unchanging doctrines.

In the chapters and canons of the twenty-second session, Trent solemnly defined the Mass as a sacrifice which is both *real* and *relative*. Each of these two characteristic notes, viz., its reality and its relativity, is founded upon three distinct elements.

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[1] Martin Luther, "De Captivitate Babylonica Ecclesiae" (1520), in *D. Martini Lutheri opera latina varii argumenti ad reformationis historiam imprimis pertinentia*, ed. H. Schmidt (Francofurti ad M. et Erlangae, 1865–1873), V, 36 ff.

[2] Martin Luther, "De abroganda Missa privata Sententia" (1521), in *Opera latina, etc.*, VI, 129 ff.

[3] Cf. *Opera Latina, etc.*, VII, 2 f.

A. The reality and truth of the Eucharistic Sacrifice is based upon these three facts: 1. *The Real Presence of Jesus Christ*, as Priest and Victim of the unbloody sacrifice, as once He had played this twofold role in the bloody sacrifice on Calvary. 2. *The Oblation*, made by Christ of Himself as Victim, through the instrumentality of the earthly priest, His visible representative and that of His Church. 3. *The Immolation* of Christ the Victim: not a bloody immolation, but rather a bloodless immolation capable of symbolizing for succeeding generations the bloody immolation, restricted to the Cross.

B. The relativity of the Eucharistic Sacrifice is based upon these three facts: 1. The Mass, as a sacrifice, is *representative* of Calvary's sacrifice. 2. The Mass, as a sacrifice, is *commemorative* of Calvary's sacrifice. 3. The Mass, as a sacrifice, is *applicative* of the boundless reservoir of merit, won in Calvary's sacrifice, to the souls of all men of all time.[4]

In the days subsequent to the adjournment of the Council, Protestantism still clung fast to the doctrines of the reformers, while Catholic polemical writers, seizing upon the crystallized formulae of Trent, found therein the certain and indisputable truths upon which all future theological speculation in this matter would be builded. Such were the circumstances of the period in which Cardinal Bellarmine earned by his pen such well-merited renown.

In his study of the Protestant case, Bellarmine had doubtless encountered the oft-repeated charge: a real sacrifice postulates a real destruction: but the Mass includes no real destruction: therefore the Mass must not be considered a real sacrifice. Animated by this challenge, and resolute in his purpose to formulate a proof which would establish beyond doubt or cavil the reality and truth of the traditional Catholic doctrine, the eminent Jesuit soon adduced the theory which has become associated with his name.

In his *ex professo* treatment of this subject, St. Robert Bellarmine, like the majority of his contemporaries, would first present his generic definition of sacrifice, later proceding to make direct application of the same to the Holy Sacrifice of the Mass: *Sacrificium est oblatio externa facta soli Deo, qua ad agnitionem humanae infirmitatis et professionem divinae majestatis a legitimo ministro res aliqua sensibilis et permanens ritu mystico consecratur et transmutatur*. In this definition the term *transmutatur* seems to have assumed cardinal importance. The transmutation indicated would consist not merely in a simple oblation or elevation of man's gift to his God, panoplied in the guise of mystical ritualism; but also in a real destruction, effective of such a change in the object offered, that it would no longer exist in its former state.[5]

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[4] Cf. Mansi, ed; *Sacrorum Conciliorum nova et amplissima collectio*, XXXIII, col. 128 ff.

Applying this concept of sacrifice to the Mass, Bellarmine declared that the essence of this sacrifice is identified with the rite of Consecration and the rite of Communion.[6]

Through the rite of Consecration the bread and wine, common elements of human nutrition, are transubstantiated into the Body and Blood of Jesus Christ. These sacred elements, now rendered present beneath the sacramental species, are placed upon God's altar through the hands and lips of the celebrant, i.e., they are exposed upon the altar, which procedure constitutes one among the methods, hallowed by ageless tradition, in which gifts are offered to the Almighty. Moreover, the rite of Consecration, performed by the priest in Christ's Name, embodies the representative element in the Mass, constituting the unbloody rite of the altar the image of the bloody sacrifice of Calvary.

Through the celebrant's Communion the Victim rendered present by the rite of Consecration undergoes the necessary transmutation, destruction or immolation. To this real change in status, the sacred *oblata* of the Mass, retaining the sacramental species of bread and wine, are by nature itself directly ordered. The rite of Communion, therefore, regarded not merely as a *manducatio*, but also as the consumption of the Victim, effects the necessary transmutation and validates the real destruction requisite for the real sacrifice. Both rites, then, the Consecration and the Communion, are essential to the unbloody sacrifice, the latter serving to complete the sacrificial act inaugurated by the former.[7]

In the eighteenth century this theory of Cardinal Bellarmine found an ardent champion in another great Doctor of the Church, St. Alphonsus Liguori;[8] and in recent times several prominent theologians of the Redemptorist congregation, with a few others, have regarded this as the most probable among the numerous explanations evolved in this matter.[9]

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[5] St. Robert, "De Eucharistia," lib. 5, c. 27, in vol. III of *Opera Omnia*, Guiliano edition (Naples, 1857), pp. 477 F.

[6] St, Robert, *op. cit.*, lib. 5, c. 27. pp. 522–25. In this theory the Communion of the celebrant is intended. The Communion of the faithful is for Catholics beyond the scope of controversy. The Council of Trent, Sess. 22, Can. 8, teaches that the Communion of the faithful need not be a constituent part of each and every Mass. On Aug. 28, 1794, Pope Pius VI, in the Constitution *Auctorem Fidei*, condemned the contrary doctrine, as found in the 28th Proposition of the Synod of Pistoia (*DB*, 1528).

[7] Cf. *ibid.*

[8] St. Alphonsus, *Theologia Moralis* (Turin: Marietti, 1827), III, lib. 6, tr. 3, n. 305, p. 185.

EVALUATION

1. The Bellarmine theory demands a real destruction of the victim as an essential constituent element in the notion of sacrifice. In the Mass this destruction is effected in the act of Communion. In point of fact, however, in the act of Communion there is found no form of sacrificial destruction, whether we consider this rite as the very act of consumption itself, or as the digestive process consequent upon the Communion proper.

Considered as the act of consumption, we find that in the reception of Holy Communion the Divine Victim undergoes no destructive change such as is requisite in view of Bellarmine's definition.[10] If the species are consumed for the purpose of effecting a destruction of the Eucharistic Christ, they certainly fail in this purpose, for Christ, united to the faithful soul, perseveres in the consumption as eucharistically integral and endowed with all His vital prerogatives.[11] St. Thomas expresses this truth in the poetic phrase, *nec sumptus consumitur*.[12]

Considered as a digestive action, the Communion is nothing but a moral change, consisting in the local motion of the species in their passage from the mouth to the stomach, where they are subjected to a substantial change. But if Christ be the Victim of this sacrifice, He and not the species should be the object of such sacrificial action. The destruction of the Communion-act, therefore, is terminated with the species, and effects the cessation of the Real Eucharistic Presence with the corruption of these species, without touching the Eucharistic Victim Himself in the remotest way. The sacramental condition of the Victim cannot affect Christ *secundum se*, by reason of the fact that

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[9] Cf. the Redemptorists Clement Marc, *Institutiones Morales Alphonsianae* (Rome, 1885); Jean Hermann, *Institutiones Theologiae Dogmaticae* (Rome, 1897); Joseph Aertnys, *Theologia Moralis secundum Doctrinam S. Alfonsi de Ligorio*, 7th ed. (Paderborn, 1906). Also L. D. Ridder, Article, "Bibliographie" in *Nouvelle Revue Théologique*, XXXV (1903), and Emmanuel M. de Gibergues, *The Mass and the Christian Life* (Edinburgh, 1921).

[10] Cf. Desmet, Article, "Responsa ad Quaestiones" in *Collationes Brugenses*, XVII (1912), p. 702.

[11] Cf. D'Alès, *De Sanctissima Eucharistia* (Paris, 1929), pp. 130 F.

[12] St. Thomas Aquinas: Hymn: *Lauda Sion Salvatorem*

He, gloriously reigning in heaven, is incapable of any such change. Bellarmine's doctrine of real destruction, wrought by the reception of Holy Communion, must then be incompatible with the traditional teaching that Christ is the Victim of the unbloody sacrifice.[13]

2. The rite of Holy Communion is formally a medium of human sanctification, and hence does not tend immediately to the glorification of God, through external worship. Wherefore, in this liturgical act of consumption, there is no verification of the true and most essential note of sacrifice, which is identified with the acme of human ingenuity in manifesting to the Almighty the worship of the human heart.[14] In the reception of Holy Communion, man looks to God rather as the Source of sacramental sanctification, than as the Term of latreutical cult.[15] Destructive of Christ's Sacramental Being, the Communion-act is ordered to the use which we make of the Eucharistic Guest for our own spiritual improvement, and quite indirectly to the public worship due to God.[16] The simple reception of the Eucharistic Species, therefore, is by its very nature incapable of expressing symbolically the interior and invisible sacrifice of man. Every sacrificial action, whether solely essential, or simply a co-essential element, must consist in some form of oblation made by man to the Almighty;[17] the act of Communion, however, is but the reception (*manducatio*) of Heavenly Food which God provides for man's spiritual nutriment and growth.[18]

Again, all sacrifice must by nature consist in a visible expression accorded to invisible worship of God.[19] With every sacrifice in this more proper sense, and in every age of human history, there has always been associated a visible altar, upon which the sacrifice was offered, and at which the act of sacrifice was performed. According to the theory of Bellarmine and his followers, a visible destruction must of necessity be predicated of every sacrifice. In the Communion of the Mass, however, where the proponents of this theory would place the destructive element, the sacrificial act, destructive—not of the Victim, as we have noted above—but of the sacramental species, is effected not upon a visible altar, but rather in the stomach of man, where the Real Presence reaches its term due to the natural function of digestion. This view, then, is contrary to the very nature of sacrifice, which requires a visible altar, and in Bellarmine's own theory a visible destruction.[20]

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[13] Cf. Desmet, *art. cit.*, p. 702; Van Hove, *Tractatus de Sanctissima Eucharistia* (Mechlin, 1933), pp. 241 F; Tanquerey, *Synopsis Theologiae Dogmaticae*, 19th ed. (Rome, 1927), III, 483; Coghlan, *De Sanctissima Eucharistia*, (Dublin, 1913), p. 465; D'Arcy, *The Mass and the Redemption* (London, 1926), p. 96; Michel, A. Article, "La Messe chez les Théologiens postérieurs au Concile de Trente," in *Dictionnaire de Théologie Catholique* (Vacant-Mangenot), X, col. 1263; Lepin, M., *L'Idée du Sacrifice de la Messe d'après les théologiens depuis l'origine jusqu'à nos jours* (Paris, 1926), p. 601; D'Alès, *op. cit.*, pp. 118 F.

[14] Cf. Van Hove, *op. cit.*, p. 242.

[15] Lercher, *Institutiones Theologiae Dogmaticae* (Innsbruck, 1930), IV, 483 F.

[16] Cf. Van Noort, *Tractatus de Sacramentis*, 4th ed. (Amsterdam, 1927) I, 369; Hugueny, *Critique et Catholique* (Paris, 1914), II, part 2, 233; Michel, *art. cit.*, col. 1262 F.

[17] Cf. St. Thomas Aquinas, *Sum. Theol.* II-II, q. 85, a. 3, ad 3.

[18] Cf. Gihr, *Les Sacrements de l'Eglise Catholique*, translated from the German by P. Mazoyer, (Paris, 1900), II, 336.

[19] Cf. St. Thomas, *op. cit.*, II-II, q. 82, a. 4, c.

These ideas lead us to a clear understanding of the Church's liturgy on this point. Just prior to receiving the Sacred Body of the Eucharistic Christ, the celebrating priest utters the words: *Corpus Domini Nostri Jesu Christi custodiat animam mean in vitam aeternam.* The celebrant's Communion, therefore, is received not in the Name of Christ; not by way of oblation or worship directed toward God; but rather in his own name and for his own utility.[21] In the liturgy of the Mass, we observe that prior to and subsequent to the reception of Holy Communion, every ritualistic word and action breathes not sentiments of sacrifice or oblation, but rather those of peace derived by man through union with his God.[22] From these observations regarding the nature of the Communion-act, we must conclude with St. Thomas that the consumption of the sacred species pertains to the character of the sacramental, while the oblation of the Victim pertains to the character of the sacrificial.[23]

3. It is the practically unanimous opinion of Catholic theologians that the act of Communion presupposes that the Sacrifice has already been accomplished in the Consecration. There is, however, a very

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[20] Cf. Vasquez, *Commentaria et Disputationes in tertiam partem Sancti Thomae* (Antwerp, 1621), III, disp. 222, c. 4, n. 23, p. 486; Desmet, *art. cit.*, p. 704; Waffelaert, Article, "Scholia de Sacrosancto Missae Sacrificio," in *Collationes Brugenses*, XII (1907), p. 737; Coghlan, *op. cit.*, p. 465; Lercher, *op. cit.*, IV, 484; Hugon, *La Sainte Eucharistie* (Paris, 1916), p. 315.

[21] Cf. Lercher, *loc. cit.*; Hervé, *Manuale Theologiae Dogmaticae* (Paris, 1926), IV, 100; Labauche, *The Three Sacraments of Initiation*, authorized translation (New York, 1922), p. 452; Van Noort, *op. cit.*, I, 369; Gihr, *op. cit.*, II, 336.

[22] Cf. Labauche, *op. cit.*, p. 453; Desmet, *art. cit.*, p. 703.

[23] Cf. St. Thomas, *op. cit.*, III, q. 79 a. 5, c.; Hugon, *op. cit.*, p. 315.

special relationship between the Communion of the celebrating priest and the Consecration of the sacred elements. In the rubrical prescriptions dictated by the Church, we learn that the reception of Holy Communion must never be omitted. Hence, in the event that the celebrant of Mass is stricken ill, another priest, even if not fasting, must complete the Sacrifice once begun.[24] This law is sufficiently explained by the fact that the Eucharistic Sacrifice, already completed in its essence as an oblation or immolation effected in worship of God, the Priest and Victim having been placed upon the altar of sacrifice under the appearances of bread and wine, demands that this Victim be consumed by eating and drinking, and bespeaks an *ordo ad sumptionem*, as a complement of the holy *commercium* which man in sacrificing enjoys with his God.[25] The Communion of the celebrant, therefore, is neither an essential nor properly integral part of the Holy Sacrifice, i.e., is neither intrinsically perfective nor intrinsically completive of the Sacrifice itself. It is, however, extrinsically integral, insofar as the Victim, placed under the species of food and drink, is ordered to this act of consumption, as to a complementary element, outside itself.[26]

The problem of the essence of the Mass is today just as far removed from definitive solution as it was in the days of Bellarmine. His theory at no period was accorded the popularity of acclaim which was at times rendered to others which like new-found stars waxed in triumph across the theological welkin, only to wane before the thunderclouds of overwhelming objections. Despite all this, it is worthy of note that none among the myriad theories of the post-Tridentine era was ever propounded over the signatures of two among the Church's greatest Doctors.

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[24] Cf. Van Noort, *op. cit.*, I, 369 F.

[25] Cf. Desmet, *art. cit.*, p. 706; Hugueny, *op. cit.*, II, 233.

[26] Cf. Lercher, L., *op. cit.*, IV, 484; Gihr, *op. cit.*, II, 335.

SCHOLASTIC DEFINITIONS OF THE CATHOLIC CHURCH

PART III

We can recognize certain well-marked stages in the process by which the scholastic definitions of the Catholic Church have been evolved. The first of these came to a close about the time of the Council of Trent. The theologians of that period accomplished three definite things. In the first place, Turrecremata and Tostatus led the way in cataloging and classifying the various meanings attached to the term *ecclesia* as it appears in Scripture and in the theological literature of the Catholic Church. Secondly, Turrecremata and Driedo were among the leaders in constructing formulae to describe the Church, considered as the City of God, the multitude of those who believed in divine public revelation since the days of our first parents. Thirdly, Driedo and Latomus were among the most prominent in perfecting the theological teaching about the two types of forces which tend to bring men within the unity of the actually existing Catholic Church, which our Lord founded as the society of His disciples. These bonds of communication, both the so-called external one which consists in the profession of the faith, the communion of the sacraments, and the proper subjection to ecclesiastical authority, and the bonds which were designated as internal, and which consisted in the infused supernatural virtues, were the objects about which the most important subsequent effort in defining the Catholic Church was to revolve. Finally Latomus, among others, produced a workable definition of the Church militant of the New Testament.

The second period coincided with the end of the Golden Age in scholastic theology. During this time St. Peter Canisius formulated his definition of the Church as a society of those who profess the faith as subjects of the Roman Pontiff. Thomas Stapleton brought the notion of foundation by Christ into his definition when he described the Church as a society which had started from Jerusalem, thus designating it as the society of the disciples, instituted and commissioned by our Lord Himself. Gregory of Valentia had offered what has become the standard form of the threefold definition of the Church, describing it first as an organization in which there is social communication with the blessed in heaven and with the souls in purgatory as well as with the faithful on earth, then as the City of God, which has existed since the first days of the human race, and finally as the society instituted by our Lord Himself.

The outstanding accomplishment in this period, however, was the definition offered by St. Robert Bellarmine. This great Doctor of the Church took the teaching on the twofold bond of unity within the Catholic Church, a teaching already perfected by James Latomus, and then performed what was perhaps the greatest single service ever rendered to the cause of theology on the matter of defining the Church. St. Robert demonstrated that a definition of the Church in function of its members, (the only type of definition, incidentally, in which he and his contemporaries were much interested), could be constructed properly only when the members were designated in the light of the external bond of unity alone.

The third period in the development of theological teaching on the definition of the Catholic Church extends from the middle of the seventeenth century to the end of the nineteenth. The outstanding accomplishment of this period was the triumph of St. Robert's definition, a triumph achieved in the face of bitter opposition and disastrous misunderstanding. The opposition came from the Gallican John Launoy. The misinterpretation of St. Robert's teaching at the hands of men like Tournely, Kilber, and Legrand, however, constituted a far more serious threat to the success of the teaching of the *De Ecclesia Militante* than even the blistering and erudite attacks of Launoy.

LATE SEVENTEENTH CENTURY THEOLOGIANS

The brilliant young Dominican, Vincent Contenson (+1674), set out to prove that the definition of the Church of Jesus Christ as "the legitimate congregation of Christ's faithful" applied to "the Roman Church, or the congregation of Christians obedient to the Roman Pontiff."[1] Nicholas Turlot, writing in 1647, had also employed a twofold definition.

Q. What is the only true and legitimate Church?

A. It is the congregation of all the baptized, professing the faith and the doctrine of Christ, which is governed by the one and supreme head and pastor after Christ on this earth, the Roman Pontiff.

Q. What congregation is this?

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[1] *Theologia Mentis et Cordis* (Lyons, 1687), Tom. I, Lib. III, Diss. I, Spec. 2, p. 152. (The translations throughout this article are our own.)

A. It is the congregation and assembly within the Church of those whom God, in His mercy and through the work of the preachers and doctors, has called together to worship Him and to possess an accurate knowledge of the eternal truths, in this life by faith, and in the next by the clear and beatific vision of God Himself.[2]

Like Turlot, the Van Walenburch brothers, Peter (+1675) and Adrian (+1699), the Franciscan bishop, William Herincx (+1677), and the Conventual, Felix Antony Guarnieri (+1694), all used the concept of vocation in their definitions of the Church. The Van Walenburchs spoke of the Church as "the congregation of men called together by God through the teaching of the Gospel, and professing the true Christian faith under the rule of legitimate pastors."[3] Herincx offered as his general definition of the Church the formula, "the congregation of men called by God to true faith and the true worship of God and to the society of the true religion."[4] Guarnieri used a definition already employed by his fellow Conventual, Angelo Petricca (+1673), in which the Church is described as "the assembly of those called to receive the truths which God, in His mercy, has deigned to reveal for the salvation of the world."[5]

Herincx used the formulae of St. Peter Canisius and St. Robert Bellarmine to define the Church militant of the New Testament.[6] The Bishop of Rodez, Louis Abelly (+1691), adopted St. Robert's definition, and declared that it was commonly used in his time.[7] The Douai Jesuit, James Platel (+1681), used a variant of this formula, describing the Church as "the congregation of the faithful, brought together through faith and the sacrament of baptism under one Head, Christ, and under His Vicar on earth."[8]

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[2] *Thesaurus Doctrinae Christianae* (Brussels, 1668), Pars I, *De Nono Symboli Articulo*, Lect. I, p. 165.

[3] *De Controversiis Tractatus Generales* (in Migne's *Theologiae Cursus Completus*, Vol. I), Tract. IX, cap. 1, col. 965 f.

[4] *Summa Theologica Scholastica et Moralis*, Tom III (Antwerp, 1680), Disp. V, q. 1, p. 68.

[5] Guarnieri, *Opus de Ecclesia Militante* (Rome, 1694), Lib. I, cap. 1, p. 1. To define the Church militant of the New Testament, Guarnieri uses the formula "the collection of the Catholics or the baptized faithful, under one Head in Heaven, Christ, and under the Roman Pontiff, His Vicar on earth" (*Op. cit.*, cap. 2, p. 14).

[6] Herincx, *loc. cit.*

[7] *Medulla Theologica* (Paris, 1679), p. 21.

[8] *Synopsis Cursus Theologici* (Bruges and Lille, no date given. The volume in the Catholic University Library is a modern reprint, produced around the year 1885), §100, p. 68. Platel ruined the sense of St. Robert's formula by substituting *faith* for *the profession of faith.*

The Dominican theologian, John Baptist Gonet (+1681), used the term *supernatural knowledge* in his general definition of the Church as "the society of rational creatures, united to God by supernatural knowledge and associated through true worship."[9] James Boudart (+1702) spoke of the Church as "the assembly of men united in the profession of the same faith and worship of the true God."[10] Gonet used the definition of Bannez to describe the Church militant of the New Testament.[11] In an attempt to offer a formula which could serve as a basis in debate with heretics, the great Bishop Jacques Benigne Bossuet (+1704) described the Church as "a society which professes to believe the doctrine of Jesus Christ and to be governed by His word."[12]

John Launoy (+1678) tried to destroy the type of definition describing the Church as a society of those subject to the Roman Pontiff. He attempted to show that such a formula was untraditional. To support his argument he adduced no less than twenty-one texts of Holy Scripture, one hundred and thirty-nine citations from the Fathers and the scholastic theologians and innumerable passages from pontifical documents.[13] All of this erudition was expended in an attempt to prove that the Church was properly designated as the congregation of the faithful and that bishops wielded authority within it, truths which St. Peter Canisius, Domingo Bannez, and St. Robert Bellarmine, the objects of his attack, had all maintained. Launoy's erudition was far superior to his critical acumen. Apparently he failed to notice that the formulae which he offered as proofs that the Church should be defined simply as *congregatio fidelium* for the most part contained several other elements, and thus militated against his own basic contention.

TOURNELY AND HIS PREDECESSORS

Providentially, the ill-starred booklet of Launoy served to increase the popularity of the type of definition he attacked. The distinguished Franciscan, Claudius Frassen (+1711), described the Church as "the congregation of all the faithful under its invisible Head, Christ the Lord, and under its visible head, the Roman Pontiff, the Vicar of Christ the Lord."[14] His confrere, Francis Henno (+1713), called it "the visible society of the baptized, gathered together in the same faith, the same worship and by the same sacraments, under one Head in heaven, Christ, and under His Vicar on earth, the Roman Pontiff."[15] The Sorbonne theologians, Charles Witasse (+1716) and Louis Habert (+ 1718) also used formulae defining the Church as the society of those subject to the Holy Father. Witasse described the Church as "the assembly of men brought together in one name of the Christian religion under legitimate pastors, and particularly under the Roman Pontiff."[16] Habert spoke of it as "the assembly of the baptized faithful, conjoined with the rest of the body and with its visible head on earth."[17] This is substantially the definition of Adam Tanner.

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[9] *Clypeus Theologiae Thomisticae*, Vol. V (Paris, 1876), p. 196.

[10] *Manuale Theologicum sive Theologia Universa* (Lille, 1710), I, 562. Boudart used the formula of St. Peter Canisius to define the Church militant of the New Testament (ibid. p. 565).

[11] Gonet, *op. cit.*, p. 197.

[12] *Conference avec M. Claude* (in the edition of the *Oeuvres*, Paris, 1828), XXXII, 229. Bossuet wished to describe what all Christians understood the Church to be.

[13] *Epistola XIII Nicolao Gatinaeo* (in the *Opera*, Tom. V, pars 2, Geneva, 1731), pp. 665–96. This work is on the Index.

Two Louvain theologians also used this type of definition. Nicholas Pauwels (+1713) described the Church as "the assembly or the congregation of the faithful, professing the faith of Christ under one and the same visible head, the Roman Pontiff."[18] John Opstraet (+1720) used a variant of Wiggers' formula, teaching that the Church militant of the New Testament is "the assembly of men called to the faith of Christ, inwardly animated by faith, hope, and charity, and outwardly united by the profession of the same Christian faith and by the communion of the same sacraments under legitimate pastors, and in particular, under one head, the Vicar of Christ on earth, the successor of St. Peter."[19] As his general definition of the Church, the great Dominican, Natalis Alexander (+1734), gave the formula "the assembly of the faithful under rightful rulers." Alexander used St. Robert's definition for the Church militant of the New Testament.[20]

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[14] *Scotus Academicus*, Tom. 8 (Rome, 1720), p. 317.

[15] *Theologia Dogmatica, Moralis et Scholastica*, Tom. I, p. 202. Another Franciscan, Bartholomew Durand (+1720), defined the Church as "the assembly of the faithful, united in the communion of the same faith and of the same sacraments under the apostolic rule of legitimate pastors," in his *Dissertationes Ecclesiasticae* (Avignon, 1703), p. 1.

[16] *Tractatus Theologici*, Tom. I (Venice, 1738), p. 65.

[17] *Theologia Dogmatica et Moralis*, Tom. I (Augsburg, 1771), p. 103.

[18] *Theologia Practica de Fide et Symbolo*, Pars. I (Louvain,1715), p. 531. Pauwels cites and approves the formula of St. Robert.

[19] *De Locis Theologicis*, Tom. I (Venice, 1777), p. 331. This work is on the Index.

[20] *Theologia Dogmatica et Moralis*, Tom. I (Paris, 1699), p. 137.

The Franciscan, Augustine Matthaeucci (+1722), defined the Church militant of the New Testament in a formula reminiscent of Du Perron, as "the congregation and the society of baptized persons *in statu viae* who are united in the profession of the true faith and the sincere administration of the sacraments under the head of the Church, the Roman Pontiff." As a general definition of the Church, Matthaeucci wrote "the assembly and society of the faithful, serving God under one Head, Jesus Christ."[21]

The brilliant Honoratus Tournely (+1729) used a variant of this formula for his general definition of the Church, employing the word *sanctorum* where Matthaeucci had used *fidelium*.[22] Gaspar Juenin (+1727) also adopted the formula.[23] Tournely explained that all the members of the Church could be designated as holy either by reason of grace, faith, or the profession of faith. Later Billuart[24] and Dens[25] used the definition in the form in which Matthaeucci gave it. The theologians of Clermont, in the nineteenth century, spoke of "the society of men in this world serving God under Christ, their Head."[26]

Tournely adopted the definition of St. Robert, and defended it very competently against the attacks of Launoy.[27] However, in his treatise *De Ecclesia* the brilliant Sorbonne theologian threatened St. Robert's teaching far more effectively than Launoy had ever been able to do. More than any other individual theologian, Honoratus Tournely is responsible for the perversion of St. Robert's teaching in a great many manuals. Unwittingly he was the cause of a peculiar misinterpretation in the matter of ecclesiology, a misinterpretation which it remained for Pope Pius XII to demolish in the *Mystici Corporis*.

An immediate preparation for Tournely's error is to be found in the writing of his younger Sorbonne confrere, Charles du Plessis d'Argentré (+1740). D'Argentré, whose ecclesiology was published some time before that of Tournely, offered two perfectly acceptable definitions of the Church. He defined the Church in a general way as "the society of the faithful, professing the true religion by which alone God is rightly worshipped through the Mediator, Jesus Christ, and by which alone eternal happiness can be achieved,"[28] and designated the Church militant of the New Testament as "the society of all those who profess with certainty the true religion which Christ brought to a perfect state through the Apostles, who use the same sacraments, and who, obeying their legitimate pastors, are bound together in a common bond of union under the Roman Pontiff, the Vicar of Christ here on earth."[29]

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[21] *Opus Dogmaticum adversus Hetherodoxos* (Venice, 1736), p. 2.

[22] *Praelectiones Theologicae de Ecclesia Christi*, Tom. I (Paris, 1739), p. 22.

[23] *Institutiones Theologicae ad Usum Seminariorum*, Tom. I (Lyons, 1704), p. 474.

[24] *Summa Sancti Thomae Hodiernis Academiarum Moribus Accommodata*, Tom. V (Paris, 1904), p. 93.

[25] *Theologia ad Usum Seminariorum et Sacrae Theologiae Alumnorum*, Tom. II (Mechlin, 1880), p. 359.

[26] *Theologia Dogmatica et Moralis*, Tom. I (Paris, 1886), p. 287. This work was a re-edition and revision of the manual of Father Arsène Vincent (+1869).

[27] Tournely, *op. cit.*, pp. 25–32.

D'Argentré's formula is merely a variant of St. Robert's, employing the term religion instead of faith. Unfortunately, however, in his anxiety to develop the analogy of the body as an instrument in teaching about the Church, D'Argentré insisted that the common type of definition of the Church described this society only in function of its body. He claimed that there could be a definition in terms of the soul, and that an adequate definition of the Catholic Church would designate it in terms of both the soul and the body.[30]

Tournely, in his turn, actually offered the type of definition mentioned by D'Argentré. He taught that the Church, considered inadequately, in terms of its soul, is "the society of the faithful who are joined to Christ by inward faith and charity."[31] Thus, in attempting to expound and defend the definition of St. Robert, he twisted the terminology of the *De Ecclesia Militante* to express the very sentiment which its saintly author had labored to overthrow.

All the theological genius and erudition of St. Robert had been devoted to the task of demonstrating that, when the Church is defined in terms of her members, the factor which he had designated as the soul could not be used in the definition. The designation of the Catholic Church as "the society of the faithful conjoined to Christ by inward faith and charity" is a description of a society, each member of which is endowed with the theological virtues; an organization in which membership is dependent upon the possession of grace. As such, the formula is not merely *inadequate*, it is absolutely *incorrect* as a definition of the Church militant.

Tournely's blunder was destined to have a serious and prolonged effect in the field of ecclesiology. Writing in 1743, the Parisian professor Nicholas Girardeau taught that the Church, considered from the point of view of its soul, is something internal, and includes the just and the elect.[32] The tendency was crystallized in the writings of the great German Jesuit, Heinrich Kilber (+1783), who constructed a triple definition of the Church.

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[28] *Elementa Theologica* (Paris, 1702), p. 160.

[29] *Ibid.*, pp. 164 f.

[30] *Ibid.*, p. 164.

[31] Tournely, *op. cit.*, p. 23.

> The Church of Christ, considered inadequately, from the point of view of its soul, is the assembly of those called to the faith, and which is conjoined to Christ by supernatural favors.
>
> The Church of Christ, considered inadequately, from the point of view of its body, is the assembly of the baptized, united in the profession of the same Christian faith and in the communion of the same sacraments under the one Vicar of Christ on earth.
>
> The Church of Christ considered adequately is the assembly of the baptized faithful, inwardly animated by faith, hope, and charity, and outwardly united by the profession of the same Christian faith and by the communion of the same sacraments, under one Head in heaven, Christ, and under the Supreme Pontiff, His Vicar on earth.[33]

Kilber's "adequate" formula was for all intents and purposes identical with the one which Daniel Concina, O.P. (+1756),[34] had proposed as a description of the Church militant. It is of the type used by Gregory of Valentia, and is less accurate than the similar type of formula employed by John Wiggers. Kilber's definition of the Church "in function of its soul" reveals his excellence as a theologian. His formula is not inaccurate as Tournely's similar definition was. Kilber claimed only that the society, not the individual members of the organization, were joined to our Lord by supernatural gifts. However, the effect of this type of definition on theologians less careful than Kilber was to encourage teaching about a purely mythical "spiritual" or "invisible" Church, which was in one way or another imagined to be a part or an aspect of the visible Church which St. Robert had explained. Kilber, despite the fact that his definition of the Church "in function of the soul" can be defended, is in a great measure responsible for the deformation of St. Robert's ecclesiology which brought confusion into a great many treatises. Among the writers who adopted this type of threefold definition were Bishop

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[32] *Prolegomena seu Praelectiones Theologicae,* Tom. I (Paris, 1743), p. 464.

[33] *Principia Theologica* (in the *RR. Patrum Societatis Jesu Theologia Dogmatica, Polemica, Scholastica et Moralis Praelectionibus Publicis in Alma Universitate Wirceburgensi Accommodata,* Tom. I, Paris, 1880), pp. 86f.

[34] *Ad Theologiam Christianam Dogmatico-Moralem Apparatus,* Tom. I (Naples, 1776), p. 362.

John Baptist Bouvier (+1854),[35] the Dutch theologian, G. M. Jansen, who wrote in 1875,[36] the Belgian, Blieck, whose work appeared in 1874,[37] and the Jesuit writers Bernard Tepe (+1905)[38] and Francis Xavier Schouppe (+1904).[39]

LEGRAND AND HIS ASSOCIATES

During this period there were certain theologians who went so far as to define the "soul of the Church" as a sort of invisible and spiritual society, in some way distinct from the organization described in St. Robert's definition, which they, incidentally, designated as "the body of the Church." Thus Louis Legrand (+1780) wrote that "the internal Church, which we call the soul of the Church, can be defined as the assembly of the saints, and especially of the elect, who are endowed with that living faith which works through charity."[40]

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[35] *Institutiones Theologicae ad Usum Seminariorum*, Tom. I (Paris, 1886), pp. 292 f. This edition defines the Church in function of its soul as "the society of the saints serving God under one Head, Christ." The formula of St. Robert is employed to designate the Church "as a body."

[36] *Praelectiones Theologiae Dogmaticae*, Vol. I (Utrecht, 1875), pp. 332 f. Jansen uses the formula of St. Robert to designate "the external part" of the Church. He taught that the formula of John Adam Moehler (+1838) designated the Church's internal nature without contradicting St. Robert's definition. According to Moehler, the Church is "the visible community of believers, founded by Christ, in which, by means of an enduring apostleship, established by him, and appointed to conduct all nations, in the course of ages, back to God, the works wrought by him during his earthly life, for the redemption and sanctification of mankind, are, under the guidance of his spirit, continued to the end of the world." This formula is found in Moehler's *Symbolik* (Mayence and Vienna, 1843), p. 333. I have used Robertson's translation, (London, 1906), p. 258.

[37] *Expositio Methodica et Elementaris Theologiae Universae*, Tom. I (Bruges, 1874), p. 65. Blieck used Kilber's formulae.

[38] *Institutiones Theologicae in Usum Scholarum*, Vol. I (Paris, 1894), pp. 189 f. Tepe follows Kilber.

[39] *Elementa Theologiae Dogmaticae*, Tom. I (Lyons and Paris. I have used the undated 22nd edition), pp. 154 f. Kilbers formulae are used.

[40] *De Ecclesia* (in Migne's *Theologiae Cursus Completus*), Vol. IV, col. 25. Legrand was certainly not the first theologian to speak of the just and the predestined as constituting units of some sort with reference to the Catholic Church. In the second book of his *Doctrinale Antiquitatum Fidei Ecclesiae Catholicae* (Vol. I [Venice, 1621], p. 160), Thomas Netter of Walden, the fifteenth century English Carmelite, had described the "glorious Church of the predestined" which was *within* the visible Church "like a wheel within a wheel." The sixteenth century Louvain professor James Latomus, in his *De Ecclesia et Humanae Legis Obligatione* (in the *Opera* [Louvain, 1550], p. 93^v), had written of "the assembly of the good" *within* the "*ecclesia permixta*." The novelty in Legrand's teaching, (although there is no

Legrand used a variant of St. Robert's formula to define "the external or visible Church, which is called by Catholics the body of the Church." For his "adequate" definition of the Church, the French Sulpician used a formula in which he applied the form of St. Robert's definition to "the assembly of men, consisting in part of the just and the elect, and in part of sinners and reprobates." He cites and approves the formula of the Cardinal Du Perron.[41]

Unfortunately other theologians followed Legrand in speaking of "the soul of the Church" as an invisible society. Among these men were Louis Bailly (+1808).[42] Engelbert Kluepfel (+1811),[43] the Venerable Bruno Francis Leopold Liebermann (+1844),[44] and the Sulpician theologian, Bonal, who wrote about 1860.[45] Albert Knoll of Bulsano (+1863) protested against Kluepfel's teaching on this point but he held that Catholics in the state of grace belong to an internal organization. He objected to the contention of Kluepfel that a man might belong to the internal and spiritual society without belonging to the visible Church.[46]

Paradoxically, the teaching of Legrand and his followers, which is diametrically opposed to the conclusions of St. Robert Bellarmine, was conceived as nothing more or less than an explanation of St. Robert's teaching. With a naivete almost unparalleled in theological history, Liebermann, who has just described the distinction between the soul which is the internal and invisible Church, having only the just as members, and the external, visible society which is the body of the Church, refers his readers to a passage in St. Robert's *De Ecclesia*

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evidence whatsoever that he was the pioneer in this direction), consisted in using the terminology of St. Robert to present a doctrine in absolute contradiction to the conclusions that terminology was intended to express.

[41] *Loc. cit.* Du Perron's definition is applied to the visible Church or the body of the Church.

[42] *Theologia Dogmatica et Moralis*, Tom. II (Paris, 1833), p. 232.

[43] *Institutiones Theologiae Dogmaticae ad Usum Privatum SS. Theologiae Candidatorum in Compendium Redactae a Cajetano Geist* (Vienna, 1838), p. 165.

[44] *Institutiones Theologicae*, Tom. II (Brescia, 1831), p. 55.

[45] *Institutiones Theologicae ad Usum Seminariorum*, Ed. 16, Tom. I (Toulouse, 1887), p. 400. Bonal defined the Church as "the society of men professing the doctrine of Christ under the legitimate and universal teaching authority and the rule of the Roman Pontiff and the pastors subject to him, to cultivate supernatural holiness and to attain eternal happiness." He rejected St. Robert's definition (pp. 293–96).

[46] *Institutiones Theologiae Dogmaticae Generalis seu Fundamentalis* (Turin, 1868), pp. 355, 468.

Militante, where *"hanc distinctionem pluribus illustravit."*[47] The reference is to St. Robert's second chapter, in which the great Doctor of the Church labors with might and main to demonstrate that such a distinction is impossible. True, St. Robert had spoken of persons as being *"de corpore"* and *"de anima"* in the Church. But his *corpus* and *anima* were two different sorts of forces which tended to unite men within the visible Church. They definitely were not societies, and St. Robert had employed these terms in a theological proof designed to show that there is no such thing as an invisible and internal Church.

THE USE OF ST. ROBERT'S FORMULA

The misuse of St. Robert's terminology at the hands of Tournely, Kilber, Legrand and their followers would have been impossible apart from the popularity of his definition. Peter Louis Danes (+1736),[48] and the Dominicans, Cardinal Vincent Gotti (+1742),[49] and Charles René Billuart (+1757),[50] all employed variants of St. Robert's formula. Both Dominicans inserted a reference to obedience to Christ into the definition, while Billuart also spoke of a unity of religion. The Jesuit Father Vitus Pichler (+1736) used the formula of his confrere Vitus Erberman (+1675), and described the Church in function of its purpose as "the assembly of those who are called to acquire justice and salvation through the pure preaching of the word, through faith, and through the legitimate use of the sacraments, under the rule of pastors who have been designated by Christ."[51]

Another Jesuit, Father Paul Gabriel Antoine (+1743), spoke of the Church as "the assembly of the faithful fighting on earth under the banner of Christ," and as "the society of the faithful professing the religion instituted, or rather, brought to a higher state of perfection in this world by Christ."[52] D'Argentré had already used the concept of our Lord's perfecting the status of the kingdom of God in his definition.

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[47] *Loc. cit.*

[48] *Institutiones Doctrinae Christianae,* Tom. I (Venice, 1733), p. 184. Danes spoke of the Church as professing the true faith about Christ, its invisible Head.

[49] *Theologia Scholastico-Dogmatica,* Tom. I (Venice, 1763), p. 33.

[50] *Summa Sancti Thomae Hodiernis Academiarum Moribus Accommodata,* Tom. V (Paris, 1904), p. 93.

[51] *Theologia Polemica* (Venice, 1749), pp. 107 f. Pichler also accepts the formulae of St. Robert and the Van Walenburchs.

[52] *Theologia Universa Speculativa et Dogmatica,* Tom. I (Venice, 1821), p. 69.

Claude Regnier (+1790) used the same type of definition as had Antoine.[53]

The Dominican, Father Jordan Preingué (+1752),[54] and the Jesuit, Joseph Gautier (+1755),[55] both adopted variants of St. Peter Canisius' definition. Peter Dens (+1775) used the wording of St. Peter himself.[56] The formula of St. Robert was employed by the Capuchin, Father Thomas of Charmes (+1765),[57] the Jesuit, Charles Sardagna (+1775),[58] the Cistercian, Stephen Wiest (+1797),[59] the Dominican, Peter Gazzaniga (+1799),[60] and the Barnabite, Cardinal Hyacinthe Gerdil (+1802).[61]

NINETEENTH CENTURY THEOLOGIANS

Among the later theologians, the Maynooth professor, Patrick Murray (+1877),[62] and the Jesuits, Raphael Cercia (+1886),[63] and Cardinal Camillus Mazzella (+1900),[64] all adopted St. Robert's definition. These three, together with the Jesuit Cardinal John Baptist Franzelin (+1886),[65] formed a conservative bloc reacting against the excesses of those theologians who had followed Louis Legrand. They ascribed to the body of the Church all the visible elements in the society, and spoke of the supernatural gifts of God as forming the soul within this organization. Among the visible elements was of course the social organization itself. It is an eloquent commentary on the confusion engendered by the misuse of the terms soul and body of the Church when we find as able a theologian as Cercia using the terminology of St. Robert to teach that an occult heretic remains joined to the body of the Church by an external bond.[66] In the real terminology of St. Robert this is an inexcusable tautology, since for that great Doctor of the Church the external bond of union was nothing more or less than the body of the Church itself.

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[53] *Tractatus de Ecclesia Christi* (in Migne's *Theologiae Cursus Completus*), Vol. IV, col. 55. Regnier's first definition is that of St. Robert (col. 54).

[54] *Theologia Speculativa et Moralis*, Tom. IV (Ghent, 1745), p. 137.

[55] *Prodromus ad Theologiam Dogmatico-Scholasticam* (in the *Thesaurus Theologicus*, Tom. I, Venice, 1762), p. 214.

[56] *Op. cit.*, p. 359.

[57] *Theologia Universa*, Tom. I (Venice, 1824), p. 63. Thomas of Charmes offered the formula, "the assembly of the saints serving God under one Head, Christ," as the most general definition of the Church. A "modernized" edition of his work, published at Paris in 1872, by professors at the Seminary of St. Dié, contains separate treatises on the soul and the body of the Church, after the manner of Perrone. The original has no such arrangement.

[58] *Theologia Dogmatico-Polemica*, Tom. II (Rome, 1819), p. 285.

[59] *Demonstratio Religionis Catholicae*, Tom. III (Ingolstadt, 1790), p. 3.

[60] *Praelectiones Theologicae*, Tom. IV (Venice, 1780), p. 546.

[61] *In Commentarium a Justino Febronio in Suam Retractationem Editum Animadversiones* (in the *Opere Edite ed Inedite*, Florence, 1848), V, 717. Gerdil also uses as his own a variant of St. Peter Canisius' formula.

[62] *Tractatus de Ecclesia Christi*, Vol. I (Dublin, 1860), p. 117.

[63] *Demonstratio Catholica*, Vol. I (Naples, 1869), p. 3.

[64] *De Religione et Ecclesia Praelectiones Scholastico-Dogmaticae* (Rome, 1892), pp. 336 f.

[65] *Theses de Ecclesia Christi* (Rome, 1887), pp. 424–37. Franzelin did not use the expression "soul of the Church" in explaining the necessity of the Church for salvation.

The Jesuit theologian, John Perrone (+1876), defining the Church as "the society instituted by Christ to profess His doctrine,"[67] taught that the error of the Reformers consisted in asserting that only the elect and the predestined belonged to the soul of the Church.[68] He held that a man could be inside the soul of the Church, and at the same time outside its body. In this last teaching he was joined by the distinguished Bishop of Ghent, Henry Lambrecht (+1889).[69] Both Lambrecht and Franzelin taught that real faith was requisite for membership in the Church, thus championing the position of Galenus and Sylvius against St. Peter Canisius and St. Robert. In this position, incidentally, they found little support among their fellow nineteenth century theologians. Franzelin slipped into error by basing his doctrine on membership in the Church on a distinction between formal and material heresy,[70] instead of on the one between manifest and occult heresy, used by St. Robert and the classical theologians.

The scholarly Archbishop of Baltimore, Francis Patrick Kenrick (+1863), defined the Church as "the assembly of those professing the faith under rectors deriving their authority from Christ."[71] Obviously disapproving of the excesses into which some theologians had been led in their teaching about the body and the soul of the Church, Archbishop Kenrick remarked that the doctrine which placed all and only the just in the soul of the Church was merely another way of saying that sinners were not pleasing to God.[72]

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[66] *Op. cit.*, p. 75.

[67] *Praelectiones Theologicae . . . in Compendium Redactae* (Paris, 1861), p. 75.

[68] *Ibid.*, p. 79.

[69] *Theologiae Fundamentalis Liber Tertius* (Ghent, 1890), p. 62.

[70] *Op. cit.*, p. 405. Franzelin distinguished between being recognized as a member of the Church *in foro externo* and connection with the Church recognized by God and *in foro interno*.

[71] *Theologia Dogmatica* (Mechlin, 1858), I, 105.

The French theologians, Antoine Martinet (+1874)[73] and Louis Brugère (+1888),[74] both used the definition of St. Robert. Brugère qualified his teaching with the statement that the visible Church was related to a congregation of the just in the same way that a body is related to a soul, and that it was ordered to the congregation of the predestined as a means is ordered to an end. He maintained, however, that the just who were not within the visible Church (the body), were obliged to enter it, under penalty of losing their place in the soul of the Church.[75]

Martinet considered the definition of St. Robert an accurate description of the external aspects of the Church. As an adequate definition of the Church, he proposed the following formula. The Church is

> the Word made flesh, the Lord Jesus Christ, and the Holy Ghost sent by Him and by the Father, continuing on earth until the end of the world, with the co-operation of the blessed Mother of God, through the invisible ministry of the angels and the visible ministry of Peter and the other apostles and disciples and their successors, a work which began at the beginning of the world with the visible ministry of the penitent Adam, of the patriarchs, the prophets and the Aaronitic priesthood, [which work is] the execution of the divine decree: Let us make man to our own image and likeness.[76]

The brilliant but unfortunate Carlo Passaglia (+1887) submitted a similar formula, defining the Church as

> the mystical body of Christ, that is, the assembly of all those in whom Christ manifests Himself and unfolds His own life, through which He is visible among men, and through which He so carries on and continues the economy of salvation as to free men from captivity, to teach the truth, to deliver justice, and to lead men to their eternal rewards by means of it.[77]

Another comprehensive definition appears in the writings of the Belgian theologian, De Brouwer, writing in 1881. According to his formula, the Church is

> the assembly of men who, according to the gratuitous election of God, by reason of Christ's merits, have, through baptism, been restored from the

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[72] *Ibid.*, p. 109.

[73] *Institutiones Theologicae ad Usum Seminariorum*, Tom. II (Paris, 1859), p. 548.

[74] *De Ecclesia Christi Praelectiones Novae* (Paris, 1878), p. 307.

[75] *Ibid.*, p. 290.

[76] *Op. cit.*, pp. 548 f.

[77] *De Ecclesia Christi*, Vol. I (Ratisbon, 1853), p. 38.

state of original aversion from God and slavery under the devil to the order of supernatural blessings and the divine friendship, and profess to worship God according to the religion established by Christ.[78]

The Dominicans, Vincent Gatti, writing in 1867,[79] Vincent De Groot (+1922),[80] and Cardinal Thomas Zigliara, (+1893),[81] with Cardinal Thomas Gousset (+1866),[82] the Jesuits, Dominic Palmieri (+1909)[83] and Hugo Hurter (+1914),[84] the Vincentian John MacGuinness, writing in the twentieth century,[85] and the author of a Theology published at Bruges in 1864,[86] all approved and employed St. Robert's definition. The Cardinal Segna, writing in 1900, and the Jesuit Father Clement Schrader (+1875) used shorter formulae. According to Schrader, the Church is "the assembly of those who follow the Christian religion,"[87] while Segna defined it as "the universal collection and multitude which belongs to the religious society founded by Christ and propagated by the apostles."[88]

The principal difficulty following this period in the development of the scholastic definition of the Church has been confusion engendered by the use of the terms body and soul of the Church. Palmieri taught that there were two distinct vital processes within the Church, the one natural and the other supernatural. According to this theologian, the soul of the Church is the principle of the distinctively supernatural life.[89] The Jesuit Bishop, Michael d'Herbigny, effectively refuted his contention.[90] Karl Adam spoke of the soul as the

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[78] *Tractatus de Ecclesia Christi* (Bruges, 1881), p. 10.

[79] *Institutiones Apologetico-Polemicae de Veritate ac Divinitate Religionis et Ecclesiae Catholicae*, Vol. III (Rome, 1867), p. 347.

[80] *Summa Apologetica de Ecclesia Catholica ad Mentem S. Thomae Aquinatis* (Ratisbon, 1906), p. 43. He gives the general form of St. Robert's definition.

[81] *Propaedeutica ad Sacram Theologiam* (Rome, 1885), p. 394. His formula is a variant of St. Robert's.

[82] *Théologie Dogmatique*, Tom. I (Paris, 1872), p. 496.

[83] *Tractatus de Romano Pontifice cum Prolegomeno de Ecclesia* (Prato, 1891), p. 27. Palmieri teaches that the formula "the kingdom of Christ on earth, to be ruled by apostolic authority," is the equivalent of St. Robert's definition.

[84] *Theologiae Dogmaticae Compendium*, Tom. I (Innsbruck, 1878), p. 165.

[85] *Commentarii Theologici*, Tom. I (Paris, 1930), p. 178.

[86] *Praelectiones Theologiae Dogmaticae Generalis* (Bruges, 1864), p. 146.

[87] *Theses Theologicae, Series Septima* (Vienna, 1869), p. 4.

[88] *De Ecclesiae Christi Constitutione et Regimine* (Rome, 1900), p. 21.

[89] *Op. cit.*, pp. 40–59.

[90] *Theologica de Ecclesia*, Tom. II (Paris, 1928), pp. 259 ff.

"supernatural substance" of the Church,[91] while Otto Karrer wrote that "theology has deduced the doctrine of an invisible Church of good men and women in a state of grace *even outside* the communion of the visible Church."[92]

Among modern theologians, Lercher has been outstanding in warning against this type of interpretation.[93] It was discountenanced, once and for all, in the Encyclical *Mystici Corporis*, in the statement,

> We deplore and condemn the pernicious error of those who conjure up from their fancies an imaginary Church, a kind of Society that finds its origin and growth in charity, to which they somewhat contemptuously oppose another, which they call juridical.[94]

Since the appearance of the Encyclical, definitions of the type offered by Lambrecht and Franzelin, who tried to revive the teaching of Suarez' *De Ecclesia* against the doctrine of St. Robert, are no longer admissible. The *Mystici Corporis* has made it clear that membership in the Church is dependent upon the profession, and not the actual possession of divine faith. The document restates the principles of St. Robert's definition.

> Only those are really to be included as members of the Church who have been baptized and profess the true faith and who have not unhappily withdrawn from Body-unity or for grave faults been excluded by legitimate authority.[95]

Once and for all, the *Mystici Corporis* has declared that, if the Catholic Church is to be defined in function of its membership alone, it must be designated by the type of definition employed and perfected by St. Robert Bellarmine.

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[91] *The Spirit of Catholicism*, translated by Dom Justin McCann, O.S.B. (New York: Macmillan, 1931), p. 170.

[92] *Religions of Mankind*, translated by E. I. Watkin (New York: Sheed and Ward, 1938), p. 262. An even more explicit statement of this error is found in E. I. Watkin's "The Church as the Mystical Body of Christ," in the symposium *God and the Supernatural*, edited by Father Cuthbert, O.S.F.C. (London: Longmans, Green and Co., 1920), p. 263. Paul Vigué, writing in another symposium, *Ecclesia*, edited by R. Aigrain, (Paris: Bloud et Gay, 1933), p. 101, ascribes the distinction between a visible and an invisible Church, the body and the soul of the Church, to "theologians." The "theologians" to whom Watkin, Vigué and Karrer refer are those who misconstrued the teaching of St. Robert, after the fashion of Legrand and Liebermann.

[93] *Institutiones Theologiae Dogmaticae*, Tom. I (Innsbruck, 1934), pp. 447 ff.

[94] See Father Bluett's edition (New York: The America Press, 1943), p. 29.

[95] *Ibid.*, p. 12.

The centuries old tentative to find an adequate definition of the Church, a formula more extensive than that offered by St. Robert Bellarmine, finds its resolution in the *Mystici Corporis*.

> If we would define and describe this true Church of Jesus Christ—which is the One, Holy, Catholic, Apostolic, Roman Church—we shall find no expression more noble, more sublime or more divine than the phrase which calls it "the mystical Body of Jesus Christ."[96]

The Encyclical itself tells us the doctrinal content of this definition.[97] The Church is designated as a *Body* because it is a visible society. It is *Christ's* Body because He is its Founder, Head, and Support. It is a *Mystical* Body because it possesses a divine Principle of unity, through the indwelling of God the Holy Ghost.

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[96] *Ibid.*, p. 9.

[97] The best analysis of this document is Father Bluett's study in his edition of the *Mystici Corporis* (pp. 54–58).

Answers to Questions

CONTRACEPTION IN GOOD FAITH

Question 1: Is it possible for a married person who is a Catholic to be in good faith regarding the sinfulness of contraception?

Question 2: May a confessor ever leave a married person in good faith regarding the sinfulness of this practice, supposing that such good faith is possible?

Question 3: What is to be said of a confessor who would answer a married penitent's questions concerning the morality of contraception with some such expression as: "You have your own conscience regarding your marriage obligations—abide by it"?

Answer 1: It can happen only very rarely that a married person who is a Catholic can be in good faith regarding the sinfulness of birth control, or contraception, in view of the fact that instructions on this point are so frequently given in sermons, books, pamphlets, etc. The instruction given by the priest to couples preparing for a Catholic marriage is particularly emphatic and explicit on this point. At most, inculpable ignorance on this matter could occur in the case of a poorly instructed and lax Catholic. The Rev. Stanley Bertke, S.T.D., in his dissertation *The Possibility of Invincible Ignorance of the Natural Law* (Washington, D.C.: Catholic University, 1941) makes this statement: "The average Catholic reads the newspapers every day; he associates with his fellows. He is apt to find that his labor union chief, his doctor and the local university professors all heartily approve of the idea [of contraception]. Moreover, it is presented as a means of bettering the present economic order, as the democratic, the scientific, the progressive thing to do. It is superfluous to say that Catholics want to be as democratic, as progressive and as scientific as anyone. Add a circumstance or two of apparent justification in the individual case and it is not difficult to imagine that in a rare case a Catholic (particularly one who is somewhat lax in religious practices) may think birth control is not so bad after all, or at least may reason that the malice of the sin under the circumstances would not be grave" (p. 98).

Answer 2: One of the principles pertinent to the question of leaving a penitent in good faith or inculpable ignorance regarding the sinfulness of some action he is performing is that this should not be done to the detriment of the common good (St. Alphonsus, *Theologia Moralis*, VI, n. 615; Iorio, *Theologia Moralis* [Naples, 1940], III, n. 671). Since contraception is gravely opposed to the common good, the penitent who appears to be in good faith regarding the immorality of this practice must be instructed by the confessor, even though there seems to be no hope that the person will desist from his evil habit. This must be regarded as at least the ordinary procedure of the confessor, according to a decision of the Sacred Penitentiary, given March 10, 1886, which declared that the confessor may not regularly abstain from questioning a penitent about the vice of onanism, if he has a reasonable suspicion that this crime is being committed, even though he foresees that many will thereby be disturbed from their good faith (Bouvier, *Les dêcisions du Saint-Siège et le devoir des confesseurs* [Paris, 1924], p. 21). Although a few authors take a lenient view of the confessor's duty in this matter (e.g. Cappello, *De Sacramentis* [Rome, 1939], III, n. 820), the great majority believe there is regularly an obligation of giving an admonition to a penitent in good faith, regardless of the chance of success. Thus, Iorio (*op. cit.*, n. 1335) says that the penitent must be warned "whether or not fruit is to be hoped for from the admonition. The reason is based on the public good, and indeed that of the whole human race, which otherwise would be exposed to a most grave common danger and to the greatest detriment." The same doctrine is expounded by De Smet (*De Sponsalibus et Matrimonio* [Bruges, 1927], n. 242), and Merkelbach (*Summa Theologiae Moralis* [Paris, 1939], III, n. 958). Because the aforesaid decree of the Sacred Penitentiary stated that the confessor must *regularly* question a penitent whom he suspects, one could hold that in a very exceptional case, when there is no danger of scandal, etc., in the event that the penitent is left in good faith, the confessor may keep silence (cf. Merkelbach, *loc. cit.*).

Answer 3: The confessor who replies by a vague platitude to those who question him on the morality of contraception is certainly failing gravely in his duty. Such a confessor should be mindful of the stern words of Pope Pius XI: "If any confessor or pastor of souls, which may God forbid, lead the faithful entrusted to him into these errors or should at least confirm them by approval or by guilty silence, let him be mindful of the fact that he must render a strict account to God, the Supreme Judge, for the betrayal of his sacred trust" (*Casti Connubii*, in *Five Great Encyclicals* [New York, 1939], p. 93).

FULFILLMENT OF MASS OBLIGATIONS

Question: About a year ago I was willed some money for Masses by an aunt who died in Ireland. Informed of the fact by other relatives immediately after her death, I began at once to offer Masses for the repose of her soul. Recently, on receiving official notification of the bequest from the lawyer, I learned that she had stipulated that the Masses should be offered, not only for her own soul, but also for the souls of her deceased husband, her parents, brothers and sisters, and a number of other relatives and friends. Now, I am wondering if my intention sufficiently covered her stipulation, or whether I must repeat the Masses already offered. At the same time I should like to know just when my obligation to celebrate the Masses began—when I heard unofficially from my relatives of this provision of her will or when I received official notification from the lawyer.

Answer: The questioner does not state whether or not the number of Masses already celebrated equals the amount stipulated in the will, or whether on the contrary a number still remain to be said. In the latter supposition, the solution seems easy, at least if those remaining represent a considerable proportion of the entire amount. For, it is to be noted, the will did not stipulate that *every* Mass should be offered for *all* the persons mentioned. Apparently it was the intention of the testator to leave some discretionary power in this matter to the priest. Presumably he was to be free to offer some Masses for his aunt alone, others for her father, others for her mother, etc. If, therefore, a good proportion of the Masses are still to be celebrated, he could apply some or all of them to the other persons besides his aunt designated in the will, either singly or in a group.

However, if the priest has already celebrated all (or practically all) the Masses required by the terms of the will, he should freely offer a number of other Masses for these other deceased persons. For, the intention he had in offering the Masses already said was the repose of the soul of his aunt only; he does not seem to have included the other beneficiaries even implicitly. Hence, he has not yet fulfilled a substantial condition of the bequest, the application of some fruits of the Holy Sacrifice to the other persons mentioned in the will. This does not mean necessarily that he must now offer for these souls a number of Masses equal to that of the Masses already celebrated. For, it would be reasonable to bestow the greater portion of the spiritual benefits accruing from the legacy on the donor herself. But, at least a third of the number of the Masses which he has offered for his aunt should now be supplied for the others mentioned in her will.

The obligation of celebrating the Masses began only when the priest received the stipends, from the executor of the will, since no other stipulation was demanded by the terms of the will or by the executor (Can. 837). On the other hand, the priest was justified in beginning the celebration of the Masses as soon as he heard unofficially of the bequest. There is no objection to such a procedure from Canon 825, §1, which states that it is unlawful to retain a stipend for a Mass previously applied, in the event that the priest celebrated the Mass before the person asked for the application and gave the stipend. In our case, the will itself, even when unofficially announced, can be regarded as a request for the Masses, even though the stipends are to be given only subsequently. In the words of Augustine: "It would not be contrary to law if one said Mass for the intention of a person who requested the favor, but would offer the alms only after the Mass had been applied" (*Commentary on Canon Law*, IV, 181).

BAPTISM OF AN UNWILLING SUBJECT

Question: A girl of eight years, the child of careless parents, was brought by her mother to a pastor to be baptized. The pastor ordered his curate to baptize the girl. When the curate asked if she should first be given some instructions, the pastor replied that this could be done some time afterward. Obeying orders, the curate proceeded to baptize the child. Finding her stubborn and frightened, he tried to induce her to receive baptism willingly; but she continued to manifest her opposition, particularly while the water was being poured. Now the curate wonders if the sacrament was invalidly conferred—first, because the child apparently was ignorant of even the fundamental Christian truths; secondly, because she seemed to have lacked the intention of receiving baptism.

Answer: To understand the problem presented by this question we must distinguish between the *merely valid* and the *fruitful* reception of baptism. A person receives this sacrament *merely validly* when it impresses its character on his soul but confers no grace. For an adult—one who has attained the use of reason, whatever may be his age in years—all that is necessary to receive baptism validly is the intention (at least habitual) of receiving it. A person may be entirely ignorant of even the fundamental Christian truths, he may have elicited the intention of being baptized from purely temporal motives, such as the desire to be free from the importunities of his family—yet, as long as he has the intention of receiving baptism, he receives this sacrament validly, though unfruitfully.

The fruitful reception of baptism is had when one receives not only the character but the grace as well. To receive this sacrament fruitfully an adult must make certain supernatural acts. First, he must make an act of faith in all that God has revealed for mankind. This act of faith must be explicit in regard to at least the four truths that are necessary *necessitate medii*—that God exists, that He rewards the good and punishes the wicked, that God is one in nature and three in persons, and that one of the three divine persons, the Son of God, became man and died for our salvation. (It is quite probable that only the first two of these truths need be explicitly believed. However, in a case of this kind probabilism may not be employed, but the *pars tutior* must be followed.) Furthermore, one who has sinned mortally must have at least imperfect contrition for his sins, in order to receive baptism fruitfully. When there is question of baptizing a person who has come to the age of reason, a priest is obliged to give the person sufficient instruction so that there is sufficient assurance of both the intention and the requisite dispositions, before the sacred rite is conferred.

In the case presented by the questioner it is very evident that there was grave neglect. A child of eight years has presumably attained the age of reason; hence, before a priest may lawfully baptize such a child he must give at least enough instruction to enable the child to elicit the necessary intention for the valid reception of the sacrament and the required supernatural acts for its fruitfulness. Considering the opposition displayed by the child when the curate administered Baptism, it is very doubtful that she had the intention of receiving it; in view of the child's home conditions, it seems quite sure that she did not have enough knowledge to prompt her to the required acts of faith and contrition. The pastor certainly manifested a lamentable lack of theological knowledge in commanding the curate to baptize her without previous instruction; the curate was (objectively) wrong in obeying, since he was commanded to do something contrary to the law of God.

To remedy the situation, the pastor or curate should give the child a course of instruction in the chief truths of Catholic faith, explain to her especially the sacrament of Baptism, and induce her to receive it willingly. When there is sufficient assurance that she has the requisite intention and dispositions, she should be baptized again conditionally—the condition being to give the sacrament only if it was not given validly before.

Only in one supposition could this process be omitted, and the child regarded as both validly and fruitfully baptized—if the priest discovers that the girl, though eight years old, has certainly never attained the use of reason. In this event, she is an infant, theologically speaking, and an infant needs neither intention nor dispositions for the valid and fruitful reception of Baptism. But the possibility of this being established with certainty in the case submitted is so remote as to make the supposition purely speculative.

Francis J. Connell, C.S.S.R.

Analecta

RECENT PONTIFICAL APPOINTMENTS ANNOUNCED IN THE ACTA APOSTOLICAE SEDIS

Protonotary Apostolic: ad instar participantium:

January 29, 1944: Rt. Rev. Msgr. John Augustine Vigliero, of the Diocese of Lafayette.

Domestic Prelates of His Holiness:

December 29, 1943: Rt. Rev. Msgrs. Jerome A. Rapp, Joseph Louis Valenta, and M. S. Chataignon of the Diocese of Galveston.

January 28, 1944: Rt. Rev. Msgrs. John Mason Connor and James Arthur Garvey, of the Diocese of Oklahoma City-Tulsa.

Privy Chamberlains Supernumerary of His Holiness:

April 15, 1943: Very Rev. Msgrs. Thomas F. O'Carroll and Timothy Manning of the Archdiocese of Los Angeles.

December 6, 1943: Very Rev. Msgrs. Joseph Kunc and John Vanicek, of the Diocese of Galveston.

Book Reviews

ST. DOMINIC AND HIS WORK. By Pierre Mandonnet, O.P. Translated by Sister Mary Benedicta Larkin, O.P. St. Louis, B. Herder Book Co., 1944. Pp. xviii+487. $5.00.

This work is a translation of *St. Dominique, l'idée, l'homme, et l'oeuvre,* which carried the name of Pierre Mandonnet as author. In this original were added the names of Marie-Humbert Vicaire, O.P. and Reginald Ladner, O.P. who were responsible for the compilation, the notes and the critical studies.

The translation is superb though the English edition omits five of the studies contained in the original.

In an introduction by Archbishop John T. McNicholas, O.P., it is stated: "Even though the posthumous volume of Father Mandonnet, *St. Dominic and His Work* has not come from his pen as his finished product, it is a unique biographical creation as well as a monumental historical survey."

The general idea of the work was conceived by Father Mandonnet and it was he who spent fifty years in historical research gathering material for the biography of the founder of the Order of Preachers. He died before the work itself could be written and this collection of studies and sketches was made by men who knew well his mind and his notes.

The first part, comprising nineteen chapters, deals with St. Dominic and the Order of Preachers. These nineteen sketches indicate an enormous amount of masterful research. They outline the religious, social, academic background of St. Dominic's work. There is a very brief analysis of his character. The early years of experiment and struggle in the Order are depicted frankly. The startling success of Dominic's courageous experiment is presented concisely and objectively. The subsequent academic literary and missionary activity of the Order is outlined and there is a fascinating picture of the influence of the new Order of Preachers on ecclesiastical and civil society, on preaching, on foreign missions, and on standards of art, sanctity and mysticism. This last phase of 13th century life Pierre Mandonnet knew best and about it his sketches are most valuable.

The second part of this work deals with the rule of St. Augustine in its origin, its development and in its relation to the legislative and administrative functions of the Order of Preachers. These studies are supplemented by six "appendices" which treat of various events in the life and work of St. Dominic. High praise must be given to the historical research embodied in the "appendices" and to the light they shed on the character of St. Dominic and his Order.

One who takes up this book expecting to read a biography written according to a popular and traditional plan will be disappointed. The monumental research represented in these studies and the critical apparatus involved will endear the volume to scientific historians. For mediaevalists the work attributed to Pierre Mandonnet is indispensable.

IGNATIUS SMITH, O.P.

THE ABSOLUTION OF RECIDIVISTS IN THE SACRAMENT OF PENANCE. By Rev. Raymond F. O'Brien, C.M., S.T.L. Washington, D. C., The Catholic University of America Press, 1943. Pp. xvi + 90. $1.00.

The purpose of this work, in the author's words, is to explain the principles underlying the problem proposed; to seek the true teaching of theologians on the matter; and to apply the conclusions arrived at to particular problems of the present day. In the first chapter the general moral principles involved in the absolution of recidivists are briefly resumed. There follows in chapter II a statement of the problem itself; the opinions of theologians on the notion and classes of recidivism are summarily indicated; the author expresses his preference for the doctrine of St Alphonsus on the question of the external signs by which the internal dispositions of the recidivist are to be estimated. In the third chapter there is a conspectus of the history of the problem of recidivism. The teaching of St Alphonsus is carefully analyzed, and compared with that of certain Jesuit theologians, notably Fauré and Ballerini, who maintain that absolution may be given by a confessor who has only probability, falling short of moral certainty, of the necessary dispositions in his penitent. A classification of modern theologians is essayed, according to their preference for one or the other opinion, or their absence of expressed preference for either. The author inclines to the conclusion that the doctrine of St Alphonsus tends to be followed substantially even by those who appear to disagree with him. The last chapter considers the practical application of the principles to the absolution of various classes of recidivists. There is a short appendix on recidivists in venial sin.

This dissertation gives evidence of serious and scholarly research. The doctrine is correct and clearly presented; the author's defence of St Alphonsus' views is tempered by respectful and objective consideration of the opinions of his adversaries. A certain sketchiness, particularly in the historical conspectus, is probably explained by the fact that the printed work is a condensation of the complete dissertation. This may also be the reason for the brevity (pp. 64–75) of the chapter on the practical application of the principles of recidivism. To the reviewer this was somewhat of a disappointment, in view of the many problems which present themselves today to those who must deal directly with recidivists. Undoubtedly the author will be able to integrate his future experience into the framework of his solid speculative learning. In years to come he should be capable of producing a thoroughgoing study of the psychology of recidivism.

The bibliography is extensive and, in the main, well drawn up. Some of the references cited are to early editions; e.g., Ferreres, Génicot, Marc-Gestermann, Ubach. Had the author consulted the later editions of some of these works, he might have found much material to support his claim of superiority for the teaching of St Alphonsus. The quotation from Ferreres cited on p. 59 is significantly amended in the later edition. The latest edition of Ubach (1935) would seem to indicate that the reported indecision of this theologian has been modified in the direction of St Alphonsus' teaching. And the author might have studied with profit the changes made in the relevant passages in the latest edition of Génicot-Salsmans; the more so because Génicot has always been reckoned among the more emphatic opponents of St Alphonsus on the point in question.

It is encouraging to note the appearance of doctoral dissertations of this kind. On the one hand, while demanding scholarly research, they do not make exorbitant demands on the limited capacities of the young theologian who is only beginning his scientific career; on the other hand they afford him the opportunity of becoming thoroughly acquainted with the principles and the history of a particular phase of theology, and of making a real contribution to scientific thought.

THOMAS J. RILEY.

PLEA FOR LIBERTY. By Georges Bernanos. Translated from the French by Harry Lorin Binsse. New York, Pantheon Books Inc., 1944. Pp. 272. $3.00.

Clericalism and anti-clericalism, Mr. Bernanos assures us, "are the two sides of the same coin—of the same vice in mind and heart" (p. 189). *Plea for Liberty* leaves little doubt about the side of the coin on which we shall find Mr. Bernanos. In a series of impassioned, or at least highly incoherent, letters to the Brazilians, the English, the Americans, and the Europeans, the author betrays his anxiety that "my country's Church more than ever yields herself to the cold speculations of senile prudence" (p. 175). He finds a ray of hope in the fact that "she at the same time exalts to such heights two young girls—Saint Joan of Arc and Saint Theresa of Lisieux."

Begging for freedom from the pagan state, Mr. Bernanos is bitterly critical of the Church leaders in continental Europe for the part they played, and for the parts which he thinks they failed to play, both before and during the war. He is especially antagonistic to the Fathers of the Society of Jesus. About numerous and hypothetical "young French Catholic bourgeois for whom the Church is substantially nothing other than a magnificent organization," he informs us that "The vast propaganda inspired, controlled, organized throughout the world by the Jesuit Fathers is careful not to confirm them in this error: but, in accordance with the spirit of their Society, they leave slightly ajar—to the greater glory of God—the door through which come to them so many powerful allies" (p. 136). "Realistic politics," against which Mr. Bernanos inveighs, "assumes that the millions of parishioners bedecked with blue, yellow, green, red ribbons and posted in line by the Jesuit Fathers will furnish it with excellent recruits" (p. 171).

Mr. Bernanos manifests his dislike of the "bourgeoisie" (p. 128 ff.) and of "the clerical factions among us" (p. 171). Apparently these latter are the Catholics, who, despite the attitude of Mr. Bernanos and others like him, remain loyal towards the Catholic hierarchy. The author, writing as a Catholic, gives evidence of an almost Nazi-like racism when he speaks of Maurras as one who "traces his descent from inferior Arabic and Levantine stock" (p. 42). He is kind enough to associate the English with his own people, always excepting, of course, the unfortunate bourgeoisie and the clerical factions. "And, Englishmen, need I repeat? I am here talking about your people or mine, of our ancient peoples; I am not talking about the labor force of Mr. Henry Ford" (p. 159). Germany's "spiritual vocation" turns out to be "always too early to betray her inner purpose; through too much haste, to compromise the fulfillment of the plans of evil, to reveal the hidden mind of evil" (pp. 254 f.).

Back of Mr. Bernanos' pronouncements lies a hopelessly addled notion of the Church. Of the young French Catholic bourgeois he writes that "They more or less understand the essential distinction between the Body and the Soul of the Church, but this distinction strikes them as something recondite, a refinement, belonging to the part of 'counsel,' not of 'precept.' Perhaps, as sound realists, do they prefer to belong to the body rather than to the soul?" (p. 136). Thus, for Mr. Bernanos, the "Body of the Church," whatever he may think it to be, is something which can be chosen in opposition to the "Soul of the Church." Such crass confusion is rarely found, even among "intellectuals." It is difficult to see what purpose was served, or intended, in bringing this book to American readers.

JOSEPH CLIFFORD FENTON.

Book Notes

The Newman Bookshop has recently advertised the learned and intensely interesting *The Historical Scholarship of Saint Bellarmine* (New York: The Fordham University Press, 1936. Pp. xiv + 226. $2.00), by Father E. A. Ryan, S.J., the Dean of the Faculty of Sacred Theology at the College of the Sacred Heart, Woodstock, Maryland. Father Ryan is the most accomplished student of St. Robert Bellarmine in our country today. His book, first published as one of the brilliant doctoral theses of the University of Louvain, explains the historical judgments of St. Robert, as expressed in the most important items of the Saint's literary works. With the growing interest in St. Robert and his theology, an interest due in great part to the teachings of the *Mystici Corporis*, our priests are fortunate to have this magnificent book at their disposal.

The *Cursus Philosophicus Ysletensis*, in addition to the already published *Critica* and *Theologia Naturalis*, now includes a *Cosmologia* (Mexico, D. F., "Buena Prensa," 1944. Pp. xvi + 392. $10.00 Mex.) by James Gustav Moran, S.J. The book presents traditional doctrines in the field but arranges them and adapts them to modern needs in such a way as to provide for students in the ordinary course of Philosophy a clear and up-to-date view of the problems. The reader will find the opinions of various authors presented, frequently in their own words, and a *critique* of various systems with a careful weighing of the merits of each. It seems, too, that those who present this subject to their classes will appreciate the care with which the things which are certain are divided from those which are uncertain or merely probable. The two lists of theses, the one containing those which are fundamental and essential, the other those which are supplementary and secondary, are certainly useful that the student may keep in mind the relative weight of the theses propounded. There is a general bibliography at the beginning of the work besides the particular bibliographies for each question given in the course thereof. These bibliographies themselves show clearly that the book is not a re-hash of out-of-date authors who know nothing of the problems of the present day.

Divided into three parts: *Cosmologia Statica*, *Cosmologia Dynamica*, and *Cosmologia Synthetica*, the work treats in the first book of the first part of quantity, the nature of *continuum*, physical *continuum*, the relation of quantity to corporeal substance, and the essence of quantity. The second book of the first part treats of the things consequent upon quantity, i.e. space, place, diverse ways of being in place and space. The first book of the second part treats of flowing *continuum*, and here of motion in general, of motion in particular, of time, and of the Theory of Relativity. The second book of the second part deals with corporeal activity, i.e. of its existence and nature, its end, its laws, and of miracles. The single book of the third part considers the nature of bodies, i.e. of the structure of matter, certain prerequisites from other branches of Philosophy for the understanding of the question here involved, false systems, the Hylemorphic solution, and finally of inorganic mixed beings.